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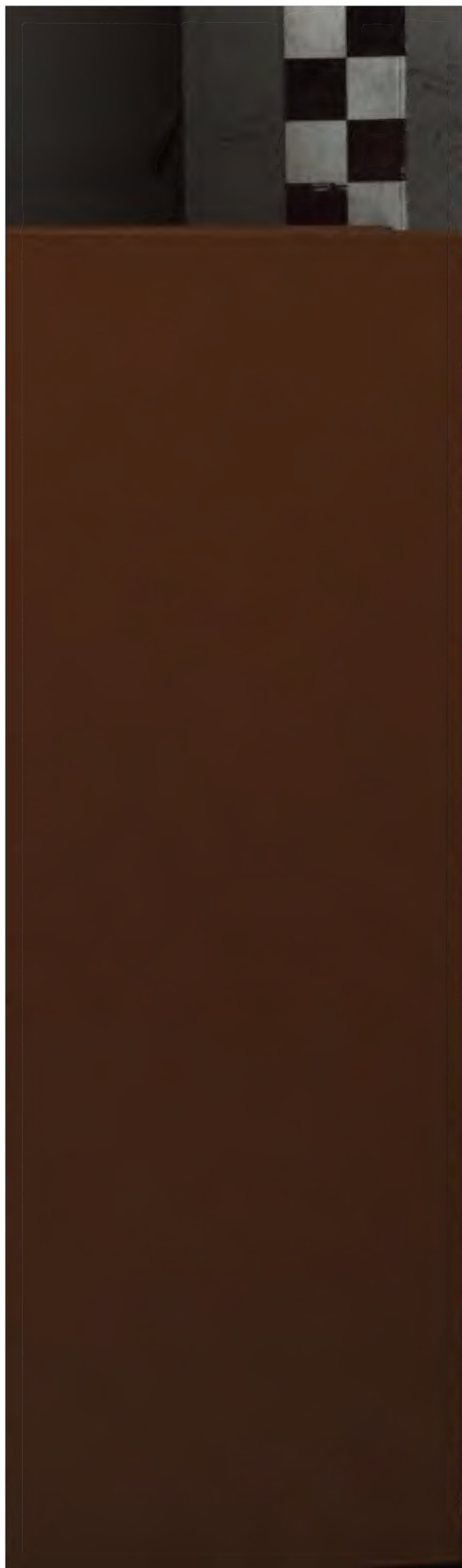
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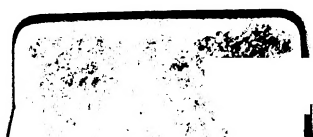
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THE

Statutes at Large,

From the 15th Year of K. EDWARD III.

TO

The 13th Year of K. HENRY IV. inclusive.

BY

DANBY PICKERING, of GRAY'S INN, Esq;

1917

Journal of the

Journal of the

Journal of the

Journal of the

THE
Statutes at Large,

FROM THE
Fifteenth Year of King EDWARD III.

TO THE ⁰²⁹¹
Thirteenth Year of King HEN. IV. inclusive.

To which is prefixed,
A TABLE containing the TITLES of all the
STATUTES during that Period.

V O L. II.

By DANBY PICKERING, of Gray's-Inn, Esq;
Reader of the Law Lecture to that Honourable Society.

C A M B R I D G E,
Printed by JOSEPH BENTHAM, Printer to the UNIVERSITY;
for CHARLES BATHURST, at the Cross-Keys, opposite St. Dunstan's
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CUM PRIVILEGIO.



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A

TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print, from the 15th year of K. EDW. III. to the 13th of K. HENRY IV. both inclusive.

Anno 15 Ed. 3. stat. 1.

- Cap. 1. A confirmation of the Great Charter and former statutes.
- Cap. 2. An act concerning the trial of peers, &c.
- Cap. 3. The chancellor and other great officers to swear to keep the laws.
- Cap. 4. An act for offices to be seised into the King's hands in time of parliament.
- Cap. 5. An act appointing who shall punish usury.
- Cap. 6. Ministers of the church shall not answer before the King's justices for things done touching the jurisdiction of the church.

Anno 15 Ed. 3. stat. 2.

A repeal of the said former statute.

Anno 15 Ed. 3. stat. 3.

An act concerning a subsidy, &c. of wools, containing seven chapters.

Anno 17 Ed. 3.

An act for the searching of money.

Anno 18 Ed. 3. stat. 1.

A statute for declaration of exigents.

Anno 18 Ed. 3. stat. 2.

A grant of two quinzimes and two dismes.

- Cap. 1. Commissions of new inquiries shall cease.
- Cap. 2. An act touching justices of the peace and their authority.
- Cap. 3. An act for sorting and buying of wools. The sea shall be open.
- Cap. 4. Repeal of commissions to assay weights and measures.

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Cap. 5. No exigent in trespass but where it is against the peace.

Cap. 6. An act for the new money, and of the exchanges.

Cap. 7. When the King's wages to soldiers shall begin and end.

Anno 18 Ed. 3. stat. 3.

A statute of the clergy.

Cap. 1. A triennial disme granted to the King by the clergy towards his war in *France*.

Cap. 2. Bigamy shall be tried by the ordinary and not by a jury.

Cap. 3. Against purchasing lands in *Mortmain*.

Cap. 4. The fees of the church exempted from purveyance.

Cap. 5. No prohibition shall be awarded but where the King hath cognisance.

Cap. 6. Temporal justices shall not inquire of process awarded by spiritual judges.

Cap. 7. No *scire facias* shall be awarded against a clerk for tithes.

Anno 18 Ed. 3. stat. 4.

The oath of the justices.

Anno 18 Ed. 3. stat. 5.

The oath of the clerks of chancery, and of the clerks of course.

Anno 20 Ed. 3.

Cap. 1. The justices shall do right to all men, without reward, &c.

Cap. 2. The barons of the exchequer shall do right to all men without delay.

Cap. 3. Justices of assises, gaol-delivery, &c. shall take an oath.

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- Cap. 12. Against carrying wool, &c. into *Scotland*.
- Cap. 13. Remedy where a merchant's goods are robbed or perished at sea.
- Cap. 14. For bringing of bullion into the King's exchanges.
- Cap. 15. Concerning indentures between carriers by water to the staple and the bailiffs.
- Cap. 16. For the rent of places in the staple.
- Cap. 17. That no merchant stranger be impeached for other's debt. Merchant enemies shall have convenient time.
- Cap. 18. Merchants of *Ireland* or *Wales* may bring their merchandises to the staples of *England*. Felony to carry their wool elsewhere.
- Cap. 19. None shall lose his goods by his servant's offence. There shall be speedy justice.
- Cap. 20. Merchants strangers taken into the King's protection.
- Cap. 21. The authority of the mayor and constables of the staple.
- Cap. 22. For correctors to be in the staple, to record bargains, &c.
- Cap. 23. The officers and merchants of the staple shall be sworn.
- Cap. 24. Two merchants aliens shall be associate with the mayor of the staple, and six mediators between buyers and sellers.
- Cap. 25. It shall be felony to conspire in disturbance of the staple.
- Cap. 26. Credit shall be given to the letters or oaths of merchants of the value of their goods.
- Cap. 27. The penalty for transporting wool, &c. before this statute.
- Cap. 28. Confirmation of the privileges and customs of the staple.
- Cap. 29. The ordinance of the fees in the staple.
- Anno 28 Ed. 3.*
- Cap. 1. Confirmation of all statutes not repealed.
- Cap. 2. Lords of the marches of *Wales* shall be attendant to the crown of *England*, and not to the principality of *Wales*.
- Cap. 3. None shall be condemned but by due process of law.
- Cap. 4. How the King shall be answered the profits of lands coming to him by the death of his tenants.
- Cap. 5. No iron shall be carried out of the realm.
- Cap. 6. Who shall be coroners, and how chosen.
- Cap. 7. How long sheriffs shall continue in their office.
- Cap. 8. An attaint shall be granted as well upon a bill as upon a writ of trespass.
- Cap. 9. No writ shall be directed to a sheriff to charge an inquest to indict any.
- Cap. 10. For redress of errors, and misprisions in *London*; and in what counties the trial thereof shall be.
- Cap. 11. Fresh suit and huy-and-cry shall be made after robbers from country to country.
- Cap. 12. Within what time purveyances shall be paid for.
- Cap. 13. The warranty of packing of wool shall be put out. Inquests shall be *de medietate lingue* where an alien is party.
- Cap. 14. Upon what days wool may be shewed in the staple.
- Cap. 15. An act declaring the bounds of the staple.
- Anno 31 Ed. 3. stat. 1.*
- Cap. 1. A confirmation of the Great Charter and the Charter of the Forest.
- Cap. 2. Against the abating of the price of wool. Weights shall be sent to all shires.
- Cap. 3. For discharge of estreats in the exchequer.
- Cap. 4. Against extortion in bishops officers for probates of wills.
- Cap. 5. The contents of a tun of wine, and the gauging thereof.
- Cap. 6. The lords of franchises shall have the penalties of labourers, &c.
- Cap.

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- Cap. 7. Justices shall enquire of offenders of the laws of the staple
 Cap. 8. What refuse shall be made of wool. All wool, &c. shall be brought to the staple.
 Cap. 9. The King's council upon cause may deter the transporting of wool.
 Cap. 10. For regulation of victuallers in *London*.
 Cap. 11. To whom the ordinary may commit administration of an intestate, &c. Administrators to sue, &c. as executors should.
 Cap. 12. The lord chancellor and lord treasurer shall examine errors in the exchequer.
 Cap. 13. The King's pardon of escapes, &c. and a fifteen granted for the same.
 Cap. 14. For levying of escapes.
 Cap. 15. At what time a sheriff shall hold his turn.
- Anno 31 Ed. 3. stat. 2.*
 The statute of herrings.
- Cap. 1. The time and manner of selling herrings.
 Cap. 2. Concerning the sale of herrings at *Yarmouth*.
 Cap. 3. What great officers shall take order about stockfish, &c.
- Anno 31 Ed. 3. stat. 3.*
 Another statute for salt-fish.
- Cap. 1. Of fish coming to the haven of *Blackney*.
 Cap. 2. Ordinances for assessing the price of dogger-fish, nets, hooks, &c.
- Anno 31 Ed. 3. stat. 4.*
Ordinatio facta pro statu terræ Hi-berniae.
- Anno 34 Ed. 3.*
- Cap. 1. Who shall be justices of the peace, and their authority.
 Cap. 2 & 3. Of purveyance.
 Cap. 4. Who shall be impannelled upon juries.
 Cap. 5. Auncel weight abolished, and equal balance set up.
- Cap. 6. For the standard of weights and measures.
 Cap. 7. An attaint shall lie as well in plea real as personal.
 Cap. 8. The penalty of a juror taking reward to give his verdict.
 Cap. 9, 10, & 11. Concerning labourers, &c.
 Cap. 12. There shall be no forfeiture of lands for treason of dead persons not attained.
 Cap. 13. How escheators shall take their inquests.
 Cap. 14. Traverses of offices found before escheators.
 Cap. 15. Confirmation of alienations made by the tenants of King *Henry 3. &c.*
 Cap. 16. Non-claim of fines shall be no bar.
 Cap. 17. All merchandises may be carried into and brought out of *Ireland*.
 Cap. 18. They who have lands in *Ireland*, may bring and carry their goods, &c. to and fro.
 Cap. 19. No custom to be paid for canvas to pack wool in.
 Cap. 20. Against transporting corn but to *Calais, &c.*
 Cap. 21. Confirmation of a former grant to denizens to transport wool, &c.
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- Anno 35 Ed. 3.*
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- Anno 36 Ed. 3. stat. 1.*
- Cap. 1. A confirmation of the charters and all statutes not repealed.
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 Cap. 7. Jurisdiction of the mayor and constables of the staple.
 Cap. 8. For the wages of parish priests.
 Cap. 9. Grievances against these statutes relieved in chancery.
 Cap. 10. A parliament shall be held once every year.

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Cap. 12. At what times the quarter sessions of the peace shall be held.

Cap. 13. Concerning escheators.

Cap. 14. The fines and amerciaments of labourers given to the use of the commons, &c.

Cap. 15. Pleadings shall be in *English* and inrolled in *Latin*.

Anno 36 Ed. 3. stat. 2.

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Anno 37 Ed. 3.

Cap. 1. A confirmation of the Charters, and of former statutes.

Cap. 2. For the writ of *Indemptitate Nominis*.

Cap. 3. For the price of poultry.

Cap. 4. For clerks of the exchequer.

Cap. 5. Against ingrossing of merchandises, &c.

Cap. 6. For handicraftsmen to use but one mystery.

Cap. 7. That goldsmith's work shall be of good sterling, &c.

Cap. 8, 9, 10, 11, 12, 13, 14, 15. Acts concerning apparel.

Cap. 16. An act concerning wines.

Cap. 17. Where a writ shall not be abated by exception of cognizance of villenage.

Cap. 18. How suggestions which are made to the King are to be pursued.

Cap. 19. Concerning hawks found.

Anno 38 Ed. 3. stat. 1.

Cap. 1. Confirmation of the Charters and former statutes not repealed.

Cap. 2. An act licencing all merchants to buy any merchandises, and for repeal of part of 37 Ed. 3. c. 5. Who may transport gold or silver.

Cap. 3. Fines shall be taken in the presence of the pledges.

Cap. 4. Certain penal bonds in the third person shall be void.

Cap. 5. For wager of law in *London* against papers.

Cap. 6. The penalty of death for

transporting wool, &c. repealed.

Cap. 7. The staple to be in *England*.

Cap. 8. Ships not to be lost for a small thing therein not customary.

Cap. 9. For punishment of those that make suggestions to the King and cannot prove them.

Cap. 10, 11. Concerning wines of *Gascoigne*, &c.

Cap. 12. Against jurors taking reward, and embracers of juries.

Anno 38 Ed. 3. stat. 2.

Statutes made against provisors.

Cap. 1. The penalties for citations from *Rome*.

Cap. 2. The penalties of suspected persons not appearing after warning.

Cap. 3. Such offenders to be out of the King's protection, &c.

Cap. 4. The punishment of offenders against this statute and of those who sue thereupon falsely and maliciously.

Anno 42 Ed. 3.

Cap. 1. A confirmation of the Charters and repeal of statutes to the contrary.

Cap. 2. Confirmation of a pardon.

Cap. 3. None shall be put to answer without presentment or matter of record.

Cap. 4. To whom commissions of inquiry shall be granted.

Cap. 5. Concerning escheators.

Cap. 6. Confirmation of the statute of labourers.

Cap. 7. *Londoners* only shall sell victuals by retail.

Cap. 8. No *English* merchants shall go into *Gascoigne* for wines.

Cap. 9. How estreats and sheriffs accounts shall be levied. No sheriff, &c. shall continue above a year.

Cap. 10. Child born in the King's dominions beyond the sea, inheritable in *England*.

Cap. 11. That copies of panels shall be delivered to the parties, and for arraying of panels.

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Anno 43 Ed. 3.

- Cap. 1. For removing the staple into *England*.
- Cap. 2. For licencing *English*, &c. merchants, not being artificers, to buy wines in *Gascogne*.
- Cap. 3. The King's butler shall take no more wines than commanded.
- Cap. 4. The King's pardon.

Anno 45 Ed. 3.

- Cap. 1. A confirmation of the Great Charter and the Charter of the Forest.
- Cap. 2. Against setting up wears, &c.
- Cap. 3. A prohibition shall be granted, where a suit is commenced in the ecclesiastical court for *Silva cædua*.
- Cap. 4. No imposition shall be laid on staple merchandises, without assent of parliament.

Rotulus parliamenti, Anno 46 Ed. 3.

Anno 47 Ed. 3.

- Cap. 1. For the length and breadth of cloth.
- Cap. 2. The *Scottish* groat current for three pence.

Anno 50 Ed. 3.

- Cap. 1. A confirmation of the liberties of the church.
- Cap. 2. A confirmation of the Charters.
- Cap. 3. The King's pardon in his year of jubilee.
- Cap. 4. No prohibition shall be allowed after consultation.
- Cap. 5. No ministers, &c. to be arrested at divine service.
- Cap. 6. Fraudulent assurances, &c. shall be void.
- Cap. 7. Woolen cloths shall not be transported before they are fulled.
- Cap. 8. No subsidy or aulnage of *Irish* frize.

Anno 1 Rich. 2.

- Cap. 1. A confirmation of the liberties of the church, the Charters, and all statutes not repealed.

Cap. 2. The peace shall be kept, and justice done to all persons.

Cap. 3. All statutes of purveyors confirmed: prelates shall have their action of trespass against offenders.

Cap. 4. Against maintenance.

Cap. 5. Confirmation of the statutes concerning the exchequer, the punishment of a clerk of the exchequer making process for a debt paid.

Cap. 6. Against villains withdrawing their services.

Cap. 7. Against giving liveries for maintenance.

Cap. 8. concerning protections *cum clausula Voluntas*.

Cap. 9. Feoffments or gifts for maintenance shall be void. An assise shall lie against the person of the profits.

Cap. 10. A confirmation of the pardon granted 50th of *Edw. 3*.

Cap. 11. None that hath been sheriff shall be so again within three years.

Cap. 12. Prisoners by judgment shall not be let at large. The penalty for confessing a debt to the King to delay another's execution.

Cap. 13. Ecclesiastical judges shall not be vexed for suits in the spiritual court.

Cap. 14. Where in an action brought the defendant makes title for tithes.

Cap. 15. The penalty for arresting of priests during divine service.

Anno 2 Rich. 2. stat. 1.

Cap. 1. All merchants may buy and sell without disturbance.

Cap. 2. Against forestalling of wines, &c.

Cap. 3. Concerning merchants, &c. towards the western parts.

Cap. 4. Against mariners departing from the King's service without licence.

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news of the great men, &c. of the realm.

Cap. 6. Against rioters and other offenders of the peace in *Wales*, &c.

Cap. 7. That *Urban* was duly elected pope.

Cap. 8. A confirmation of the statutes of labourers.

Anno 2 Rich. 2. stat. 2.

Cap. 1. A confirmation of the liberties of the church and the Charters.

Cap. 2. A repeal of so much of the last statute as concerns unlawful assemblies in *Wales*.

Cap. 3. Against fraudulent gifts, &c. made by debtors flying to sanctuary.

Anno 3 Rich. 2.

Cap. 1. A confirmation of all liberties and statutes.

Cap. 2. The penalty of the aulneger sealing faulty cloths.

Cap. 3. Against farming of benefices of aliens.

Anno 4 Rich. 2.

Cap. 1. For gauging of wines, oil, and honey.

Cap. 2. The King's pardon.

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Cap. 1. A confirmation of the liberties of the church, the Charters, and all other statutes not repealed.

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Cap. 3. None of the King's subjects shall carry any merchandises but only in *English* ships.

Cap. 4. Concerning the several prices of wines to be sold in the realm.

Cap. 5. The King's pardon to those that repressed the late rebellion.

Cap. 6. Manumissions made in the late tumult shall be void. Treason to begin a riot, &c.

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Cap. 12. Two clerks shall be assigned to make parcels of accompts in the exchequer.

Cap. 13. Accompts of *Nichil* shall be put out of the exchequer. An accomptant discharged upon his oath.

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Cap. 8. Qualification of the act touching the navy made 5 *Rich. 2.* stat. 1. cap. 3. that where no *English* ships are to be had, others may be used.

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Anno 6 Rich. 2. stat. 2.

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Cap. 2. A confirmation of the Charters, and all statutes not repealed.

Cap. 3. A jury for a trespass within a forest shall give their verdict where they received their charge.

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Cap. 13. Against riding in armours, &c.

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Cap. 5. Of the jurisdiction of the constable and marshal.

Anno 9 Rich. 2.

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Cap. 9. No new imposition shall be laid upon merchandises.

Cap. 10. The King's signet or privy seal shall not be sent in disturbance of the law.

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Anno 12 Ricb. 2.

Cap. 1. A confirmation of the liberties of the church, the Charters and other statutes not repealed.

Cap. 2. Against obtaining offices by suit or reward.

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Cap. 5. That whoever serves in husbandry until twelve years old shall so continue.

Cap. 6. Against weapons and unlawful games used by labourers, &c.

Cap. 7. Concerning beggars.

Cap. 8. Of travellers pretending to have been captives beyond sea.

Cap. 9. Concerning vagabonds and labourers, &c.

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Cap. 14. For the measure of cloths.

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Cap. 6. of serjeants at arms and their office.

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The End of the TABLE.

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Statutes made at *Westminster Anno 15 EDW: III.*
stat. 1. and Anno Dom. 1341.

OUR sovereign lord King Edward the Third after the Conquest, Ex Edit, Rastal.
at his parliament holden at Westminster at the xv. of Easter,
desiring that the peace of his land, and the laws and statutes before
this time ordained, be maintained and kept in all points, to the honour
of God, and of holy church, and to the common profit of his people, by
assent of the prelates, earls, barons, and other great men, and of all
the commonalty of the realm of England, summoned to the said par-
liament, hath ordained and stablished in the same parliament, the ar-
ticles underwritten, which he will and grant for him and for his heirs,
that they be firmly kept and holden for ever. Repealed by the statute following.

CAP. I.

A confirmation of the great charter and former statutes.

FIRST it is accorded and assented, That the franchise of holy Franchise: Charter.
church, and the great charter, and the charter of the
forest, and the other statutes made by our said sovereign lord
the King and his progenitors, peers, and the commons of the
land, for the common profit of the people, be firmly kept and
maintained in all points. And if any thing be from henceforth
made against the great charter, and the charter of the forest,
it shall be declared in the next parliament, and by the peers of
the realm it shall be duly redressed: And if any, of what estate
or condition he be, do any thing to the contrary, shall stand to
to the judgement of the peers in the next parliament, and so
from parliament to parliament, as well of franchises used, as
of them which shall be now granted by our sovereign lord the
King, or his progenitors to holy church, to the peers of the
land, to the city of London and to other cities and boroughs,
and to them of the five ports, and to the commons of the
land, and all their franchises and free customs shall be main-
tained in all points, without any thing doing to the contrary.
And that the writs demanded to have allowance of charters,
of franchises and customs, charters of pardons, of debts, and
of all other things granted by the King, and by his progenitors
before this time, be freely granted without disturbance before
all manner justices, or other ministers where it needeth to have
allowance, and they shall be made quit at the exchequer, or
elsewhere.

CAP. II.

*The peers of the realm and great officers for great offences
shall be tried in parliament.*

Peers.

ITEM, whereas before this time the peers of the land have been arrested and imprisoned, and their temporalties, lands and tenements, goods and cattels assised in the King's hands, and some put to death without judgement of their peers: It is accorded and assented, That no peer of the land, officer, nor other because of his office, nor of things touching his office, nor by other cause shall be brought in judgement to lose his temporalties, lands, tenements, goods and cattels, nor to be arrested, nor imprisoned, outlawed, exiled, nor forejudged, nor put to answer, nor to be judged, but by award of the said peers in the parliament, saving always to our sovereign lord the King, and his heirs in other cases the laws rightfully used, and by due process, and saving also the suit of the party. And if percase any peer will of his agreement elsewhere answer or be judged, but in the parliament, that the same shall not turn in prejudice of the other peers, nor of himself in any other case. Except if any of the peers be sheriff or fermor of fee, or hath been officer, or hath received money, or other cattels of the King, because of which office or receipt he is bound to accompt, that the same shall accompt by himself or by his attorney in places accustomed, so that the pardons before this time made in the parliament, shall stand in their force.

CAP. III.

*The chancellor and other great officers to swear to keep
the laws.*

ITEM, because that the points of the great charter be blemished in divers manners, and less well holden than they ought to be, to the great peril and slander of the King, and damage of his people, especially inasmuch as clerks, peers of the land, and other free men be arrested and imprisoned, and out of their goods and cattels, which were not appealed nor endited, nor suit of the party against them affirmed: It is accorded and assented, That from henceforth such things shall not be done. And if any minister of the King, or other person, of what condition he be, do or come against any point of the great charter, or other statutes, or the laws of the land, he shall answer in the parliament as well at the King's suit, as at the suit of the party, where no remedy nor punishment was ordained before this time, as far forth where it was done by commission or commandment of the King, as of his own authority, notwithstanding the ordinance made before this time at Northampton, by assent of the King, the prelates, earls, barons, and the commonalty of the land, in this present parliament is repealed and utterly adnulled. And that the chancellor, treasurer, barons, and chancellor of the exchequer, the justices of the one bench and of the other, justices assigned

Charter.

the country, steward and chamberlain of the King's house, per of the privy seal, treasurer of the wardrobe, controllers, and they that be chief deputed to abide nigh the King's duke of Cornwall, shall be now sworn in this parliament, and so from henceforth at all times that they shall be put in place, to keep and maintain the privileges and franchises of Franchises, every church, and the points of the great charter and the charter of the forest, and all other statutes, without breaking any statute.

CAP. IV.

every parliament the King may take several great offices into his hands, and retain them four or five days. Those that attempt suits against the laws and statutes of the realm shall answer it in parliament.

ITEM, it is assented, That if any of the officers aforesaid, or Officers, controllers, or chief clerk in the common bench, or in the King's bench, by death or by other cause be out of his office, and our sovereign lord the King, by the accord of the great council, which shall be found most nighest in the country, which shall take towards him, and by the good counsel which he shall have about him, shall put another convenient in the said office: which shall be sworn after the form aforesaid. And so in every parliament, at the third day of the same parliament, the King shall take in his hands the offices of all the ministers aforesaid. And so shall they abide four or five days, except the offices of justices of the one place or the other, justices of the great council, barons of the exchequer. So always that they and all other ministers be put to answer to every complaint. And if default be found in any of the said ministers, by complaint or other manner, and of that be attainted in parliament, he shall be punished by judgement of the peers, and put out of his office, and another convenient put in his place. And upon the same day the said sovereign lord the King shall do to be pronounced to the execution without delay according to the judgement of the said peers in the parliament.

CAP. V.

Punishments of usury by the King or the ordinaries.

ITEM, it is accorded, and assented, That the King and his heirs Ordinaries. shall have the confiscance of the usurers dead. And that the Usurers. Ordinaries of holy church have the confiscance of usurers living; as to them appertaineth to make compulsion, by the censures of holy church for the sin, to make restitution of the goods taken against the laws of holy church.

CAP. VI.

Ministers of the church shall not answer before the King's justices for things done touching the jurisdiction of the church.

Ministers of
holy church.

ITEM, it is accorded, That the ministers of holy church for money taken for redemption of corporal penance, nor for proof and account of testaments, or for travail taken about the same, nor for solemnity of marriage, nor for other things touching the jurisdiction of holy church, shall not be impeached nor arrested, nor driven to answer before the King's justices nor other ministers: and thereupon the ministers of holy church shall have writs in the chancery to the justices and other ministers at all times when they the same will demand.

By another statute made also *Anno 15 EDW. III. stat. II.* the last mentioned statute of *Anno 15 EDW. III. stat. I.* was repealed, because it was made without the King's consent.

12 Co. 75.

EDWARD by the Grace of God, &c. to the sheriff of Lincoln, greeting. *Whereas at our parliament summoned at Westminster in the quinzime of Easter last past, certain articles expressly contrary to the laws and customs of our realm of England, and to our prerogatives and rights royal were pretended to be granted by us by the manner of a statute; (2) we, considering how that by the bond of our oath we be tied to the observance and defence of such laws, customs, rights, and prerogatives, and providently willing to revoke such things to their own state, which be so improvidently done, upon conference and treatise thereupon had with the earls, barons, and other wise men of our said realm, and because we never consented to the making of the said statute, but as then it behoved us, we dissimulated in the premisses by protestations of revocation of the said statute, if indeed it should proceed,*

REX vicecomiti Lincoln' salutem. Cum in parlamento nostro apud Westm' in quindena Pasche proximo preterita convocato quidam articuli legibus & consuetudinibus regni nostri Anglie & juribus & prerogative nostre regis expressis contrarii pretenduntur per modum statutorum per nos fuisse concessi Nos considerantes qualiter ad observationem & defensionem legum consuetudinum jurium et prerogativarum hujusmodi astricti sumus vinculo juramenti & proinde volentes ea que sic fiunt improprie ad statum debitum revocare super hoc cum comitibus & baronibus ac peritis aliis dicti regni nostri consilium habuimus & tractatum Et quia editioni dicti statuti pretensumquam consensimus set premissis protestationibus de revocando dictum statutum si de facto procederet ad evitandum pericula que ex ipsius denegatione

tione tunc timebantur provenire cum dictum parliamentum alias fuisset sine expeditione aliqua in discordia dissolutum & sic ardua nostra negotia fuissent quod absit verisimiliter in ruina dissimulavimus sicut oportuit & dictum pretensum statutum sigillari permisimus illa vice videbatur dictis comitibus baronibus & peritis quod ex quo dictum statutum de voluntate nostra gratuita non processit nullum erat & quod nomen vel vim statuti habere non deberet. Et ideo dictum statutum de ipso consilio & assensu decrevimus esse nullum & illud quatenus de facto processit duximus ad nullandum volentes tamen quod articuli in dicto statuto pretenso contenti qui per alia statuta nostra vel progenitorum nostrorum regum Anglie sunt prius approbati juxta formam dictorum statutorum in omnibus prout convenit observentur. Et hoc solum ad conservationem & reintegrationem jurium corone nostre facimus ut tenemur non autem ut subditos nostros quos in mansuetudine regere cupimus opprimamus aliquo modo vel gravemus. Et ideo tibi precipimus quod hec omnia in locis infra ballivam tuam ubi expedire videris publice facias proclamari. T. R. apud Westm' primo die Octobris anno quinto decimo.

Per ipsum Regem & consilium.



ceed, to eschew the dangers which by the denying of the same we feared to come, forasmuch as the said parliament otherwise had been without dispatching any thing in discord dissolved, and so our earnest business had likely been ruined (which God prohibit) and the said pretended statute we permitted then to be sealed: (3) It seemed to the said earls, barons, and other wise men, that since the said statute did not of our free will proceed, the same be void, and ought not to have the name nor strength of a statute; and therefore by their counsel and assent we have decreed the said statute to be void, and the same in as much as it proceeded of dread, we have agreed to be annulled; (4) willing nevertheless, That the articles contained in the said pretended statute, which by other of our statutes or of our progenitors Kings of England have been approved, shall, according to the form of the said statute in every point, as convenient is, be observed. (5) And the same we do only to the conservation and reintegration of the rights of our crown, as we be bound, and not that we should in any wise grieve or oppress our subjects, whom we desire to rule by lenity and gentleness. And therefore we do command thee, That all these things thou cause to be openly proclaimed in such places within thy bailiwick where thou shalt see expedient. Witness myself at Westminster the first day of October, the fifteenth year of our reign.

A Repeal of the former statutes made Anno 15 Ed. 3.

A third statute made Anno 15 EDW. III. expressing certain conditions or covenants whereupon the subsidy granted Anno 14 was given him.

Ex Edit.
Rastal.

IT is to be remembered, of the conditions which the great men and the commons demanded, for the grant that they made to our sovereign lord the King, for the ix. Lamb, fleece and sheaf of the second year.

CAP. I.

Subsidy.
Sacks of wool,

FIRST, That that is gathered and levied of the xx. thousand sacks of wool, another time granted to our sovereign lord the King, in manner to have recompence of the same of the ix. of the second year, shall be recouped and allowed to the counties, where the wools be levied, and the persons paid, and the commissions of the twenty thousand sacks repealed.

CAP. II.

Lambs and
fleeces.

ITEM, That the fleeces and lambs levied of this second year, be accounted before them, which shall be deputed to gather the said wools, which shall be good men and lawful of the country, and that the value of the said lambs and fleeces levied, be recouped and allowed in the number of the sacks now granted, and that the remnant of the three things to be gathered of this second year, nothing shall be levied, but wholly released. And upon the same, letters patents under the great seal shall be delivered to the knights of the shires, without any thing to be paid.

CAP. III.

Wools.

ITEM, That the wools in every county, be gathered by good men of the country, and delivered to the King's receivers of the sacks in the counties where they shall be gathered, according to the weight ordained by the statute, that is to say, xliii. pound for the stone, and xxvi. stones for the sack, without other increase. And that none be charged to yield thereupon account to the King, but only the King's receivers. And that in every county there be assigned two great and good men, to hear and determine the complaints of them, which will thereof complain upon the said collectors and receivers, &c. at the places and days of the counties.

CAP. IV.

Ninth.

ITEM, That the prelates, earls, barons, knights, and other great men of every country, which shall be bound to pay the ix. according to the grant thereupon made, shall be apportioned after their rate to the charge granted of the said wools. And in case that any of the prelates or great men aforesaid, or other will not pay according as shall be apportioned, the names of such and their portions shall be delivered to the said receivers, and by them to the chancery, and so much shall be allow-

ed to the county. And he that shall be found disobedient, shall be distrained to pay the treble of the portion, whereto he was set.

CAP. V.

ITEM, That no merchant, nor other, buy nor carry wools ^{Wools.} out of the land betwixt this and the feast of Saint Michael next coming, to the intent that the King be served of that that to him is granted. And that after the said feast of Saint Michael, every merchant of the realm, and other may freely sell and buy, and pass the sea with their merchandises of wools, and all other things, paying the customs of old time used, according to the statutes before this time made at the last parliament holden at Westminster in middlelent. And that they which have wools shall be bound to sell, according to the sort and price of the country, to accomplish the wools granted to the King, and they which shall be collectors, shall be sufficient people of the same counties, chosen now in full parliament. And they shall be changed by no manner of commandment.

CAP. VI.

ITEM, That the Queen's gold shall not run in demand, by ^{Queen's gold.} reason of this grant. And that cities and boroughs and all ^{Barony.} religious persons, which hold by barony, shall be bound to come to the parliament. And they that have cattles without gaining, shall be charged with the commons. And that the religious and other people of holy church, for the lands and possessions purchased and appropriated, not taxed with the tax used of dismes, shall be charged in this contribution with the commons. And that he which shall be found guilty of passage, shall be at the forfeiture of the double value of the wools. And that the takers may take the wools, in what part they ^{Wools.} shall be found out of sanctuary, after the sort and the price of ^{Takers.} Nottingham. And as to that which is behind of the ix. of the ^{Ninth.} year past, the King shall do to be assigned some of his own, with good people of the counties, to take informations by all the ways that they can or may, of the true value of the ix. in every Parish. And according to these informations the ix. shall be levied.

CAP. VII.

ITEM, That the petitions, shewed by the great men and the ^{Petitions.} commons, be affirmed according as they be granted by the King, that is to say, some by statute, and the other by charter or patent, and delivered to the knights of the shires, without any thing paying. And that it please the King to perform the grace which he hath promised to the great men, in right to be attached and imprisoned now in this parliament. And they that have made fines, shall stand at their fines or at the common law, at their own choice.

Le parlement tenu a Westm. a la quinzeme de Pasch. du raign nostre seignior le Roi EDWARD. Tiers apres le conquest dys et septisme.

8 Inst. 93.

ITEM, *It is accorded to make money of good sterling in England of the weight and allay of the anient sterling; which shall be current in England between the great men and commons of the land; and the which shall not be carried out of the realm of England in any manner, nor for any cause whatsoever. And in case that the Flemmings will make good money of silver gross or other, according in allay of good sterling, that such money shall be current in England between merchant and merchant, and others; who of their own accord will receive the same; so that no silver be carried out of the realm.*

Item, it is accorded and assented, That good and lawful men be assigned in the ports of the sea, and elsewhere, where need shall be, to make search, that no silver be carried out of the realm in money or otherwise (except that the great men may, when they go out of the realm, have silver vessels to serve their houses) And that none be so hardy to bring false and ill money into the realm, upon pain of forfeiture of life and member: And to make exchanges with them that shall pass the sea, of gold for their good sterling to the value.

Item, It is assented and accorded, That the said searchers, because they may do their offices more diligently and more lawfully, shall have the third part of all the false money that they can find to be brought into the realm for their own

ITEM accorde est de faire une monoie des bones esterlings en Engleterre du pois & del alay del auncient esterling, que avera son cours en Engleterre entre les grandz & la comune de la terre, & la quele ne serra portes hors du roialme d'Engleterre en nulle manere; ne pur quecunque cause que ceo soit. Et en case que les Flemings voillent faire bone monoie d'argent grosses ou autres accordant en alay es bones esterlings; que tiel monoie eit cours en Engleterre entre marchand & marchand & autres qui la vodroient resceivre de leur bone gree; issint que nul argent soit portes hors du roialme.

Item est accordes & assentus, que bones gents & loialx soient assignes es ports de miere, & ailours, ou miefter serra, de faire la serche, que nul argent soit portes hors du roialme en monoie n'autrement, forpris que les grandz quant ils vont per dela qils peussent aver vessels d'argent pur servir leur hostels: Et que nul soit cy hardy de porter fausse & malvois monoie en roialme, sur paine de forfeiture de vie & de membre: Et a faire exchanges a ceux qi passeront la miere d'or pur leur bones esterlings a la value.

Item assentus est et accordes, que les dits sercheours, per cause qils feront leur offices plus diliagement et plus loialment, ils eient la tierce partie de tote la fauxe monoie, qils purront trover portee deins le roialm

a lour profit demeen :
mesme la manere eient
e partie de la bone mo-
iele ilz troveront en la
passant hors de la terre :

case qils soient troves
ents ou rebealx a tieux
faire, que lour terres &
ents, biens et chateux
seises en la main le Roy,
r corps pris, et detenus
ils eient fait fine au Roy
our disobeissance: Et en
uils soient assentants de
tiels fauxe monoie, et
rire sachantement largent
noie autrement (sorpris
s grandz quant ilz vont
la qils peusent aver vel-
largent pur servir lour
s come de suis est dit) es-
nelnes hors du roialm,
judgement de vic & de
re.

*own benefit: And in the same
manner they shall have the third
part of the good money which they
shall find upon the sea passing out
of the realm: And in case they
shall be found negligent or disobe-
dient in making such searches, that
their lands and tenements, goods
and chattles shall be seised into the
King's hands, and their bodies ta-
ken and detained until they have
made fine to the King for their
disobedience: And in case they shall
be assenting to the bringing in of
such false money, or wittingly
shall suffer silver or money (except
vessels of silver for the great
men when they go out of the
kingdom to serve in their houses, as
before is said) to be transported out
of the realm, they shall have
judgement of life and member,*

ites made *Anno 18 EDW. III. stat. 1. Anno
om. 1344.* declaring in what cases and for
what offences exponents shall be awarded.

s accorded and established, That from henceforth of them Ex. E dit.
which be or have been receivers of the King's money, or of Rastal.
tools, which they take of the people, and the same carry Exigents.
or detain, so that our sovereign lord the King may
be thereof served: And of them which bring wools to
ports beyond the sea, without being cocketted, or paying
in or subsidy, whereto they be assessed, and of customers
and others, which suffer the same to the King's damage, of
ministers which receive the King's money and the same re-
Also of conspirators, confederators, and maintainers of
quarrels: Also of them that bring routs in the presence of
justices, or other the King's ministers, or elsewhere in the
cities in affray of the people, so that the law may not be
done, as well of them which bring the same, as of them which
are in their company, or as of them which bring false mo-
ney or deceit of the people, against all those, in case they may
be found, or brought in, to answer, by attachment or dif-
for the profit of our sovereign lord the King, the ex-
shall be given and sued, and not against another.

Ordinationes

Ordinationes in parlamento apud *Westm'* Anno regni domini *E. Regis Angl' et Franc'* videlicet *Anglie* decimo octavo et *Francie* quinto tento facte.

Another statute made Anno 18 EDW. III. stat. 2. and Anno Dom. 1344.

Two quinzimes granted to the King by the commonalty, and two dismes by cities and boroughs, to be paid in two years, towards his wars in France and Scotland.

Ex. Edit.
Rastal.

IT is to be remembered, that at the parliament holden at *Westminster*, the Monday next after the utas of the holy Trinity, the year of the reign of our sovereign lord the King that now is of England the xvij. and of France the v. many things were shewed in full parliament, which were attempted by the party adversary to our sovereign lord the King, of France, against the truce late taken in Britain, betwixt our said sovereign lord the King and him: and how that he enforceth himself as much as he may, to destroy our said sovereign lord the King, and his allies, subjects, lands, and places, and the tongue of England. And that it was prayed by our said sovereign lord the King of the prelates, great men, and commons, that they would give him such counsel and aid, as should be expedient in so great necessity. And the said prelates, great men, and commons, taking good deliberation and advice, and openly seeing the subversion of the land of England, and the King's great business, which God defend, if hasty remedy be not provided, have concealed jointly and severally, and prayed with great instance our sovereign lord the King, that he would make him as strong as he might to pass the sea, in assurance of the aid of God and of his good quarrel, effectually this time to make an end of his wars, or by way of peace or else by force. And that for letters, words, nor for fair promises, he shall let his passage, till he see the effect of his business: And for this cause the said great men do grant, to pass and to adventure them with him: And the said commons do grant to him, for the same cause upon a certain form ii. quinzimes of the commonalty, and ii. dismes of the cities and boroughs, to be levied in manner as the last quinzime granted to him was levied, and not in other manner; and to be payed by ii. years, at the feasts of All Saints, and of Easter next following, for the first year. And in that, that our sovereign lord the King doth pass the sea, to pay at the same terms to the quinzime and disme of the second year, and not in other manner. So that the money levied of the same, be dispended in the business shewed to them in this parliament, by the advice of the great men thereto assigned. And that the aids beyond Trent, be put in defence of the North: And our said sovereign lord the King, for this cause, and in case of the said commons, and of all his faithful subjects of England, by the assent of the prelates,

Quinzimes.
Dimes.

Aids.

..] Anno decimo octavo EDWARDI III.

11

great men, and commons, hath granted of his good these things underwritten.

CAP. I.

missions of new inquiries shall cease, saving indictments felonies, and trespasses of wools carried out without subsidies, customs, &c.

RST, that the commissions of the new enquiries shall cease and be wholly adnulled. And that writs be there made of the justices to surcease. Saving the indictments felonies and trespasses done against the peace, of wools d out of the realm, without paying custom or subsidy, f other the King's goods, or of money received or retained, m which have had commission under the King's seal, lso of false money brought within the realm, be gone be- re same justices, named in the said commissions, shall be nined in the King's Bench, or before other justices thereto ed: and the exigends issued, and outlawries pronounced, ber causes aforesaid, shall cease and be wholly adnulled. hereupon shall there be made writs as many, and such as re requisite.

Enquiries.
Indictments.

CAP. II.

Justices of peace shall be appointed, and their authority.

aussint qe deux ou tro-
s des mieultz vauetz des
es soient assignez garde-
la pees par commissions
i & quele heure qe meis-
rra mesmes ceux ovesques
sages & apris de la leye
assignez par commission
doier & terminer felonies
pas faites contre la pees
lmes les countees & pu-
ent faire resonablement
la manere du fait.

ITEM, that two or three
of the best of reputation
in the counties shall be assign-
ed keepers of the peace by the
King's commission, (2) and
at what time need shall be,
the same, with other wise and
learned in the law, shall be as-
signed by the King's commis-
sion to hear and determine
felonies and trespasses done
against the peace in the same
counties, and to inflict punish-
ment reasonably according to
law and reason, and the
manner of the deed.

Justices of
peace shall be
appointed and
their authori-
ty.

1 Ed. 3. stat. 2.
c. 16.
4 Ed. 3. c. 2.
34 Ed. 3. c. 1.
18. H. 6. c. 11.

CAP. III.

All persons may buy wools. The sea shall be open.

M qe les ordenances
ant ces heures faites sur
des sortz des leines en
ne countee soient de tout
z & defaitz & qe chef-
omme aussibien estrange
prive puisse desormais a-
chater

ITEM, that the ordinances
made before this time,
upon the price of sorts of
wools in every county, be
wholly annulled and defeated;
(2) and that every man, as
well stranger as privy, from
henceforth

Every man
may buy
wools.

The Sea shall
be open.
3 Mod. 126.
5 & 6 E. 6. c. 7.

henceforth may buy wools, according as they may agree with the seller, as they were wont to do before the said ordinances; (3) and that the sea be open to all manner of merchants to pass with their merchandize where it shall please them.

chater leines solonc ceo qil pur-
ra acorder ove le vendour aussi
come ils soleient faire devant
les ordinances avantdites. Et
qe nul homme ne soit empeche
ne greve pur cause de nul aca-
te faite en temps passe encontre
les ordinances avantdites et qe
la mieer soit overte a tout ma-
nere des marchantz de passer
ove lour marchandises.

CAP. IV.

*Commissions to assay weights and measures shall be repealed,
and none such granted.*

There shall be
no commis-
sions issued to
assay weights
and measures.

ITEM, That the commis-
sions to assay measures and
weights be repealed and whol-
ly adnulled. And that from
henceforth no such commission
shall go out. And that it be
demanded to the treasurer and
barons of the exchequer, to
do come before them such
commissioners, to yield ac-
count to the King, notwith-
standing that they alledge, that
they be justices, and ought not
to yield account. And if any
will upon them complain, he
shall be heard. And thereupon
writs shall be made to the
sheriffs, to make proclamation,
that they which will complain
upon such commissioners, shall
come to the exchequer, and
there to complain, and amends
shall be to them made.

ITEM qe les commissions
dassaiier mesures aunes &
pois soient repellez & anientiz
de tout & qe desore nul tiel
commission isse et qe mande
soit a treforer & as barons de
Lescheker de faire venir devant
eux tieux commissioners de
reindre acompt au Roi nient
contrestenant qils alleggent qils
sont justices & ne doivent nul
acompte rendre et si nul se vou-
dra pleindre sur eux soit oy &
sur ceo soient faites briefs as
viscontes de faire proclamation
qe ceux qe se voudront pleindre
sur tieux commissioners veig-
nent a leschequer & illoques se
pleinent & amendes lour ser-
ront faites,

CAP. V.

*No exigent shall be granted in trespass, but where it is a-
gainst the peace.*

No exigent in
trespass but
where it is a-
gainst the
peace.
18. Ed. 3.
Stat. 1.

ITEM, That no exigent
shall from henceforth go out,
in case where a man is indicted
of trespass, unless it be against
the peace, or of things which
be contained in the declaration
made in this case at the last
parliament holden at Westmin-
ster.

ITEM qe nul exigende isse
desormes en cas ou homme
est enditez de trespass qe ne soit
encontre la pees ne des choses
qe ne sont contenues en la de-
claration fait de ce cas en der-
rein parlement tenuz a Westm^r.

CAP.

CAP. VI.

Money shall be made and exchanges ordained where the King shall please.

ITEM, That no man be compelled to take the new money Ex. Edit. and gold and silver which our sovereign lord the King hath ordained, to go in payment at a certain price, within the sum of twenty shillings: And also that money of gold and silver be made in the city of York, and elsewhere where the King will it ordain, in the manner as it is made in the tower of London. And exchanges shall be ordained in the good towns, according as it best shall seem to our sovereign lord the King, for the profit of him, and his people. And that it be ordained in a certainty, what thing shall be given in exchange of every piece of gold. Rastal. New money. Exchanges.

CAP. VII.

When the King's wages to soldiers shall begin and end.

ITEM qe les estatuz faitz sur les purveances affaire sur lostel le Roi la Roigne & leur enfantz en les queux est contenuz qils ne achatent ne preignent riens sil ne soit par le bone gree des vendours & par leur fait entre les achatours & les vendours & aussint les estatutz faitz del estat le seneschal & mareschal del hostel le Roi & queux pleedz ils tendront & determineront devant eux en la mareschalcie soient tenuz & gardez en touz leur pointz les queux estatutz nostre seignur le Roi ad fait transcrire & mander as seneschal & mareschal de son hostel & a tresorer de la garderobe & briefs ovefque eux de les garder & maintenir en touz pointz. Et qe gentz darmes hobelers & archiers esluz pur aler en le service le Roi hors dEngleterre soient as gages le Roi du jour qils departiront hors des countees ou ils serront eslutz tanque a leur revenuz.

Exemplificatur de assensu parlamenti.

ITEM, That the statutes Mirror, 15. for the purveyances, to be made for the houses of the King, the Queen, and their children, wherein it is contained, That they shall not buy nor take any thing, unless it be by agreement of the sellers and by promise made betwixt the buyers and the sellers, (2) and that the statutes made of the steward and marshal of the King's house, and what pleas they shall hold and determine before them in the marshalsea, shall be holden and kept in all their points; (3) which statutes our lord the King hath caused to be transcribed, and sent to the steward and marshal of his house, and to the treasurer of the wardrobe, and writs with them, to keep and maintain the same in all points. (4) And that men of arms, hoblers, and archers, chosen to go in the King's service out of England, shall be at the King's wages from the day that they depart out of the counties where they were chosen, till their return. 5 Ed. 3. c. 2. 10 Ed. 3. stat. 2. c. 1, 2. When the King's wages to soldiers shall begin and end. 1 Ed. 3. stat. 2. c. 7. 4 H. 4. c. 13. 6 Co. 27. 2.

CAP.

A statute of the clergy, made *Anno* 18 EDW. III.
stat. 3. and *Anno Dom.* 1344.

Nova Statuta.

EDWARD by the Grace of God, &c. Greeting. Know ye that at our parliament holden at Westminster the Monday next after the Utas of the Holy Trinity, the year of our reign of England the eighteenth, and of France the fifth, amongst other things shewed, assented, and accorded in the said parliament, there were shewed, assented and accorded these things underwritten.

EDIEN par la grace de Dieu Roi d'Engleterre & de Fraunce & Seigneur d'Irland as tous ceuz qe cestes lettres verrount ou orrount salut. Sachez qe a nostre parlement tenu a Westm' le Lundy prochain apres les oytaves de la Trinite prochain passez entre autres choses monstrez assentuz & accordez en le dit parlement si furent monstrez assentuz & accordez les choses souchescritz.

CAP. I.

A Triennial disme granted to the King by the clergy towards the maintenance of his war in France.

Ex. Edit.
Rastal.

FIRST, whereas many things have been attempted, by the party our adversary of France, against the truce late taken in Britain, betwixt us and him, and how that he enforceth himself, as much as he may, to destroy us, and our allies, subjects, lands, and places, and the tongue of England: And thereupon we prayed the prelates, great men and the commons, that they would give us such counsel and aid as should need in so great necessity. And the said prelates, great men, and commons, having thereof good deliberation and advice, and seeing openly the subversion of the land of England, and of our great business, which God defend, if speedy remedy be not provided: have counselled jointly and severally, and with great instance prayed us, that in assurance of the aid of God, and our good quarrel, we should make us as strong as we might, to pass the sea and by all the good means that we might, at this time to finish our wars. And that for letters, words, nor fair promises, we should not let our passage, till we did see the effect of our business. And for this cause, the great men aforesaid granted to pass, and to adventure themselves with us. And the said prelates and procurators of the clergy, have granted to us for the same cause, a triennial Disme, to be paid at certain days, that is to say, of the province of Canterbury, at the feasts of the purification of our Lady, and of Saint Barnaby the Apostle: And of the province of York, at the feasts of Saint Luke, and the Nativity of Saint John Baptist. And we for this cause, in maintenance of the estate of holy church, and in case of the said prelates, and all the clergy of England, by assent of the great men, and of the commons, do grant of our good grace the things underwritten, that is to say, that no archbishop shall be impeached before our justices because of crime

Disme.

Prelates.

, unless we especially do command them, till another re-
be thereof ordained.

CAP. II.

amy shall be tried by the ordinary, and not by inquest.

M qe si nul clerk soit a-
nez devant noz Justices a
suyte ou a la suyte de
& le clerk se teigne
clergi allegeant qil ne
devant eux sur ce re-
dre et si homme lui sur-
pur nous ou pur la par-
eit espouse deux femmes
ie veue qe sur ceo les Ju-
neient conissance ne poer
ier par enquestes ou en
manere la bygamie einz
nandez a la Court Chri-
come adeste fait en cas
stardie. Et tanqe la cer-
tion soit mande par lor-
ie demoerge la persone en
bigamie est alegge par les
sufflitz ou en autre ma-
n garde fil ne soit mein-
ble.

ITEM, If any clerk be ar- Bigamy shall
raigned before our justices be tried by the
at our suit, or at the suit of ordinary and
the party, and the clerk hold- not by a jury.
eth him to his clergy, alledg-
ing that he ought not before
them thereupon to answer;
(2) and if any man for us, or Ed.6.c.12.
for the same party, will sug- sect.16.
gest, that he hath married two
wives, or one widow, that
upon the same the justices
shall not have the cognissance
or power to try the bigamy by
inquest, or in other manner;
but it shall be sent to the spi-
ritual court, as hath been done
in times past in case of bal-
tardy. (3) And till the certi-
ficate be made by the ordina-
ry, the party in whom the bi-
gamy is alledged, by the words
aforesaid, or in other man-
ner, shall abide in prison, if
he be not mainpernable.

CAP. III.

Prelates impeached for purchasing lands in Mortmain.

M qe si Prelatz clers
beneficez ou gentz de reli-
gion purchacez terres &
ent mys a mort meyn soi-
mpechez ou arelonez sur
levant noz Justices & ils
tront noz chartres de li-
cenc & processe sur ceo fait
inqueste Ad quod damp-
ou de nostre grace ou par
ils soient lestez franchise-
en pees saunz estre outre-
schez pur la dite pur-
che. Et en cas qils ne pur-
sufficialment monstrent qils
ient entree par due pro-
apres la licence a eux
te en general ou especial
qils

ITEM, If prelates, clerks Prelates im-
beneficed, or religious peo- peached for
ple, which have purchased purchasing
lands, and the same have put land in Mort-
to mortmain, be impeached main do shew
upon the same before our jus- the King's li-
tices, and they shew our char- cence.
ter of licence, and processe
thereupon made by an inquest
of *Ad quod dampnum*, or of our
grace, or by fine, they shall
be freely let in peace, without
being further impeached for
the same purchase. (2) And
in case they cannot sufficiently
shew, that they have entered
by due processe after licence
to them granted in general or
in

in special, that they shall be well received to make a convenient fine for the same; and that the enquiry of this article shall wholly cease according to the accord comprised in this parliament.

7Ed.1.stat.2.
1Ed.3.stat.2.
c.12.

CAP. IV.

In commissions to be made for purveyance, the fees of the church shall be excepted.

ITEM, that the statutes touching the purveyances of Us and of our son, made in times past by Us and our progenitors, for people of holy church be holden in all points. And that in the commissions to be made upon such purveyances, the fees of holy church shall be excepted in every place where they be found.

Ex edit. Pult.
3Ed.1.c.1.
14Ed.3.stat.3.
c.1.
1Rich.2.c.3.
In commissions for purveyance the fees of the church shall be excepted.

CAP. V.

No prohibition shall be awarded but where the King hath cognisance.

ITEM, That no prohibition shall be awarded out of the chancery, but in case where we have the cognisance, and of right ought to have.

4Co.123.
5Co.73.
6Co.23.
9Ed.2.stat.1.
c.1.

ITEM qe nule prohibition ne isse dehors de la Chauncellerie si noun en cas qe nous averoms la conisaunce & devons avoir de droit.

CAP. VI.

Temporal justices shall not enquire of process awarded by spiritual judges.

ITEM, Whereas commissions be newly made to divers justices, that they shall make inquiries upon judges of holy church whether they made just process or excessive in causes testamentary, and other, which notoriously pertaineth to the cognisance of holy church, the said justices have enquired and caused to be indicted, judges of holy church, in blemishing of the franchise of holy church; (2) that such commissions be repealed, and from henceforth defended, saving the article in eyre, such as ought to be.

There shall be no more commissions granted to justices to inquire of spiritual judges.

ITEM qe par la ou commissions sont faites de novel as diverses justicez qils facent enquestes sur juges de seint eglise le quel qils facent joust processe ou excessive en cause du testament & autres les queux notoriement apartiegnent a la conisaunce de seint eglise les ditz justices ount enquis & fount enditer juges de seint eglise en blemissement de la franchise de seint eglise qe tieles commissions soient repellez & desoremes defenduz save l'article de eyre tiele come il doit estre.

CAP. VII.

re facias *shall be awarded against a clerk for tithes.*

Et que par ou briefs de re facias soient este a garner Prelatz reli- autres clers a respoun- dismes en nostre allerie & a monstrier sils ns pur eux ou sachent re pur quoi tieux dis- s demandauntz ne de- tre restitutes & a res- auxibien a nous come des tieux dismes que iefs desore enavant ne auntez & que les pro- ndantz sur tieux briefs nientiz & repellez & artiez soient dimises eculers juges de tieux de pledz savez a nous roit tiel come nous & cesters avons eu & fo- oir de resoun. En tes- nce de queux choses uest des ditz Prelatz a esentes lettres avont ttre noz sealx. Don' es le viii. jour de Juyl nstre regne dEngleterre e & de France quint.

ITEM, *Whereas writs of 2 Inst. 639 — Scire facias have been grant- 647.*

ed to warn prelates, religious and other clerks, to answer dismes in our chancery, and to shew if they have any thing, or can any thing say, wherefore such dismes ought not to be restored to the said demandants, and of answer as well to us, as to the party of of such dismes; (2) that such writs from henceforth be not granted, and that the process hanging upon such writs be adnulled and repealed, and that the parties be dismissed from the secular judges of such manner of pleas: (3) sa- ving to us our right, such as we and our ancestors have had, and were wont to have of reason. In witness whereof, at the request of the said prelates, to these present letters we have set our seal. Dated at London, the eighth day of July, the year of our reign of England the eighteenth, and of France the fifth.

No scire facias shall be award- ed to warn a clerk to an- swer for his tithes.

ath of the justices, being made *Anno* EDW. III. Stat. 4. and *Anno Dom.* 1344.

Tota Statuta.

S jurez, que bien & lment servires a nostre le Roy et son peo- office de justice, et ment conseilleres no- nur le Roy en fez . Et que vous ne es ne assentires a chose purra tourner en da- desheriteson per que- roye ou colour. Et II. que

YE shall swear, that well and lawfully ye shall serve our lord the King and his people in the office of justice, and that lawfully ye shall coun- sel the King in his business, and that ye shall not counsel nor assent to any thing which may turn him in damage or disherison by any manner, way, or colour. (2) And C that

That he shall serve the King in his office. Dalt. 13.

To warn the King of any damage.

To do justice.

To take no reward of any having a suit.

To give no counsel where the King is a party.

2 Ed. 3. c. 3.

20 Ed. 3. c. 1.

8 R. 2. c. 3.

9 R. 2. c. 1.

To maintain no suit.

that ye shall not know the damage or ditherison of him, whereof ye shall not cause him to be warned by yourself, or by other; and that ye shall do equal law, and execution of right, to all his subjects, rich and poor, without having regard to any person.

(3) And that ye take not by yourself, or by other, privily nor apertly, gift nor reward of gold nor silver, nor of any other thing which may turn to your profit, unless it be meat or drink, and that of small value, of any man that shall have any plea or proces hanging before you, as long as the same proces shall be so hanging, nor after for the same cause. (4) And that ye take no fee, as long as ye shall be justice, nor robes of any man great or small, but of the King himself. (5) And that ye give none advice or counsel to no man great nor small, in no case where the King is party.

(6) And in case that any of what estate or condition they be, come before you in your sessions with force and arms, or otherwise against the peace, or against the form of the statute thereof made, to disturb execution of the common law, or to menace the people that they may not pursue the law, that ye shall cause their bodies to be arrested and put in prison; (7) and in case they be such that ye cannot arrest them, that ye certify the King of their names, and of their misprison hastily, so that he may thereof ordain a convenable remedy. (8) And that ye by your self nor by other, privily

que vous ne sayeres le ou disheritefon de lui vous ne luy ferrez gain vous ou per autre.

vous ferrez owel ley & tion de droit as toutes gettez riches & povre avoir regard a quelconfon. Et que vous ne per vous ne per autre nen apert don ne rew ne dargent ne dautre queconque, que a vosti pourra tournir, sil ne se ger ou boire et ceo de lue, de nul home que plee ou proces penda vaunt vous, taunt come ces serra issint pendant pres pur cel cause.

vous ne prendres fee, come vous ferres Just robes de nul home ne petit, si non de Rmes. Et que vous ne conseil ne avyz graunde ne petit, en ou le Roy est partie.

cas que aucuns, de qu ou condition quils soient devant vous en sions a force et armes trement contre la peas, tre la forme del estatut pur distourber execut commune ley, ou pur sicer lez gentz que ils roient purfuir la ley, ferrez arrester leur ce mettre en prison. Et quils soient tielx que lez poez arrester, que v tifies le Roy de leur r de leur misprison hasti issint que il puisse ent o remede convenable.

vous ne maintiendres, ne per autre en prive pert, nul plee ne nul pendant en le court nailbours en pais. Et

nor

ne declarez a nully come droit per lettres du Roy ne de nully autre ne per autre cause queconque. Et en cas que ascuns lettres vous veignent contrarier a la ley, que vous, ne ferres riens per tielx lettres, eyens certifies le Roy de ceo, et irrez avaunt, pur faire la ley, nient contresteanz mesmes les lettres. Et que vous ferres et procures le profit du Roy et de sa corone ove toutes les choses ou vous le purres faire raisonablement. Et en cas que vous soies trove en defaute de forenavant en nul des pointes avantditz, vous ferres en la volonte du Roi du corpz terres et davoit, de faire ent que luy perra. Si Dieu vous eide & toutes ses seyntes.

nor apertly, maintain any plea or quarrel hanging in the King's court, or elsewhere in the country. (9) And that ye deny to no man common right by the King's letters, nor none other man's, nor for none other cause; and in case any letters come to you contrary to the law, that ye do nothing by such letters, but certify the King thereof, and proceed to execute the law, notwithstanding the same letters. (10) And that ye shall do and procure the profit of the King and of his crown, with all things where ye may reasonably do the same. (11) And in case ye be from henceforth found in default in any of the points aforesaid, ye shall be at the King's will of body,

No. to deny right for letters.

To procure the King's profit.

The penalty of an offender.

lands, and goods, thereof to be done as shall please him, as 3 Inst. 146, 223, 224.

The oaths of the clerks of the chancery, and of the clerks of course, made *Anno* 18 EDW. III. stat. 5. and *Anno Dom.* 1344.

Novâ Statuta.

VOUS jurez, que bien & loialment servirez a nostre seignur le Roy & a soun people en le office de la chauncellerie, a quele vous estes attitle; & nassentirez ne procurez disheritance ne perpetual damage du Roy a vostre poair; ne fraude ferres, ne procurez estre fait a tort dalcuns du people, nen chose que touche la garde de seal: & loialement counseilerez les choses que touchent le Roy, quant ferrez ent requis; & le counseil que vous faves touchant luy, conceleres. Et si vous saches disheritance ou perpetual

YE shall swear, That well and lawfully ye shall serve our lord the King and his people in the office of clerk of the chancery, to which ye be attitled; (2) and ye shall not assent nor procure the King's disherison nor perpetual damage to your power; (3) nor ye shall do nor procure to be done, any fraud to any man's wrong, nor thing that toucheth the keeping of the seal. (4) And ye shall lawfully give counsel in the thing that toucheth the King, when ye shall be thereto required; and the counsel which you know touch-

Clerks of the chancery.

Clerks of
course.

ing him ye shall conceal. (5) And if you know the King's disherison, or perpetual damage or fraud to be done upon the things which touch the keeping of the seal, ye shall put your lawful power to repress and amend it; and if ye cannot do it, then ye shall certify the chancellor or other, which may do the same, to be amended to your intent. (6) And for the clerks of course shall be added: and ye shall not bring, nor to your knowledge suffer to be brought, any writs which ye make out of the court not sealed, thereof to do execution; (7) nor shall record any attorney by writs, nor without writs, without especial licence, if ye have not lawfully examined the party and the attorney in proper person, or at the least him that shall make attorney in proper person. (8) Nor ye shall deliver any writ which shall be of commandment to the examiners, nor to the seal, before that the same writ be sent to you by the commander, which thereof hath power, unless it be to the chancellor or to one of the masters, which commandeth you to make the writs. (9) And all the writs which ye shall make, ye shall deliver to the examiners by your own hand, or by one companion which is sworn to the King, if ye yourself be out of the court because of sickness or other cause necessary so that ye cannot do it. (10) And no writ written of another man's hand shall be delivered to the examiners under your name, nor no name shall ye put under your writs, but your own, as God you help and all saints.

tual damage le Roy, ou f
estre fait sur choses queu
chent la garde du dit
vous mettez vostre
poir de ceo redresser & a
der. Et si de ceo ne
faire, vous aviserez le ch
ler, on autres que le
faire amender a vostre e
cion. *Et addatur pro cler
curfu.* Et vous ne porter
soeffres estre porte a vost
cient, brieves que vous f
hors du court nient en
dent faire execution. N
attourne ne recorderez, i
brieves ne sauns brief,
especial counge, & si
neiez loialement exami
partie & lattourne en i
persone, ou a meyns cell
fra lattourne en propre pe
Ne nul brieve que soit de
mandement ne liverez
examinours ne au seale, a
que mesme le brieve soit
maunde a vous per cor
dour que poir en eit,
soit a chancellour, ou a
meistres que vous comm
ra de faire les brieves
toutz les brieves queux
ferrez, liverez a les exam
per vostre mayn demesin
par une compaignon q
jurez au Roy, si vous i
soies hors du court per
de maladie, ou autre cau
cessarie ne les poez faire
que nul brieve escript
mayn liveres a les exam
soutz vostre, noun come
stre, ne nul noun for
vostre mettres sur vos
Si vous eide Dieu et ses s

ates made at *Westminster*, 7 *Maii*, Anno 20
 'EDW. III, and *Anno Dom.* 1346,

Nova Statuta.

WARD &c. salutz pur
 eo qe per plusurs pleintz
 tz a nous. Nous avoms
 duz qe la ley de nostre
 quele nous sumus tenuz
 rement de meintenir est
 s bien garde & lexecucion
 e destourbe plusours foitz
 maintenance & procure-
 sibien en court come en
 per plusours maners nouz
 es graundement de con-
 e de ceste matiere & per
 cause desirantz tant pur
 ince de Dieu & ease &
 : de noz subgitz come
 uyer nostre conscience &
 uver & garder nostre se-
 it avaunt dit per lassent
 raundz & autres sagez de
 : conseil.

EDWARD by the grace of
 God, &c. to the sberiff of
 Stafford, greeting. Because that
 by divers complaints made to us
 we have perceived that the law
 of the land, which we by our oath
 are bound to maintain, is the less
 well kept and the execution of the
 same disturbed many times by
 maintenance and Procurement, as
 well in the court as in the coun-
 try; (2) we greatly moved of
 conscience in this matter, and for
 this cause desiring as much for the
 pleasure of God, and ease and
 quietness of our subjects, as to save
 our conscience, and for to save and
 keep our said oath, by the assent
 of the great men and other wise
 men of our council, we have or-
 dained these things following.

CAP. I.

justices of both benches, assise, &c. shall do right to all
 n, take no fee but of the King, nor give counsel where
 : King is party.

avoms ordeigne & com-
 naunde expressement as
 nouz Justices qils facent
 : owei ley & execution
 roit as touz noz subjetz
 z & povrez saunz aver re-
 de null person & saunz
 de faire droit pur null le-
 ou maundementz qe lour
 unt venir de nous ou de
 autre ou pur autre cause
 iqz & en cas qe ascuns
 : briefs ou maundementz
 ent as lez justices ou as
 s deputez de faire ley &
 solonques lez usagez de
 : roialme en destourbance
 ley ou de execution
 ou de droit faire as par-
 tiez

FIRST, We have com-
 manded all our justices,
 That they shall from hence-
 forth do equal law and execu-
 tion of right to all our sub-
 jects, rich and poor, without
 having regard to any person,
 and without omitting to do
 right for any letters or com-
 mandment which may come
 to them from us, or from any
 other, or by any other cause.
 (2) And if that any letters,
 writs, or commandments come
 to the justices, or to other de-
 puted to do law and right ac-
 cording to the usage of the
 realm, in disturbance of the
 law, or of the execution of the

The justices
 shall do right
 to all persons
 without re-
 gard of let-
 ters.

same, or of right to the parties, the justices and other aforesaid shall proceed and hold their courts and processe where the pleas and matters be depending before them, as if no such letters, writs, or commandments were come to them; and they shall certify us and our council of such commandments which be contrary to the law, as afore is said.

Justices to certify all illegal commandments.

(3) And to the intent that our justices should do even right to all people in the manner aforesaid, without more favour shewing to one than to another, we have ordained and caused our said justices to be sworn, That they shall not from henceforth, as long as they shall be in the office of justice, take fee nor robe of any man, but of ourself, and that they shall take no gift nor reward by themselves, nor by other, privily nor apertly, of any man that hath to do before them by any way, except meat and drink, and that of small value; (4) and that they shall give no counsel to great man or small, in case where we be party, or which do or may touch us in any point, upon pain to be at our will, body, lands, and goods, to do thereof as shall please us, in case they do contrary. (5) And for this cause we have increased the fees of the same our justices in such manner, as it ought reasonably to suffice them.

Justices shall take no fee of any, but of the King.

Justices shall give no counsel where the King is party.
Regit. 186.
3 Inst. 146, 224.
2 Ed. 3. c. 8.
11 R. 2. c. 10.

Their fees increased for that cause.

tiex lez ditz justices & autres susditz aillent avaunt & teignent leur courts & leur processe & ou leur plees & bufoignez sont pendantz devant eux come si nuls tielx letrez briefs ou maundementz ne fuissent venus & certifient nous e nostre conseil de tielx maundements qe fount contrariez a la ley come desuis est dit. Et au fyn qe noz ditz justices facent owell droit as toutz gentz en manere desuis dit saunz pluis de favour faire a lune partie qe al autre si avoms ordeigne & faire jurer noz justices qils ne prendront de fore tant come ils ferount en office de justice fee ne robe de nulluy sinoun de nous mesmez & qils ne prendront don ne regard per eux ne per autres en prive nen appiert de null homme qe avera affaire devant eux per queconque voie sil ne soit mangier ou boier & ceo de petit value & qils ne dorront counseill a nul graund ou petit en cas ou nous sumus partiez ou qe nous touche ou purra toucher en null manere sur peyn destre a nostre volunte du corps terre & avoir pur faire ent ceo qe nous plerra en cas qils facent la contrarie Et pur cest cause si avoms fait encreiser lez fees de noz justices per tiel manere qe leur doit resonablement suffire.

CAP. II.

Barons of the exchequer shall do right to all men without delay.

Barons of the exchequer shall do right to all.

IN the same manner we have ordained in the right of the barons of the Exchequer, and we have expressly charged them

EN mesme la manere avoms ordeigne en droit dez barouns de nostre Eschequer & les avoms fait expressement charger

en nostre presence qils roit & reason as toutz raundz & petitz & qils eliverer le poeple reanent & saunz delay oignez qils averount evaunt eux saunz estre oundueiment sicome ad en temps passe, them in our presence, That they shall do right and reason to all our subjects great and small; (2) and that they shall deliver the people reasonably and without delay of the business which they have to do before them, without undue tarrying, as hath been done in 4 Inst. 115. times past.

C A P. III.

of gaol-delivery, &c. and their associates, shall take an oath.

I nous avoms ordeigne toutz qe serrount assises daffises prendre & gaolez deliverer & serrount associez a nnt primerement autiel t en nostre chauncelleunt qe commission lour ere. **I**TEM, we have ordained, That all they which shall be justices assigned by commission to hear and determine, and such as shall be associated to them, and also justices of assises to be taken in the country, and of goal-delivery, and such as shall be assigned and associated to them, shall ft an oath in certain points, according as to them shall ned by our council in our chancery, before that any ion be to them delivered, Justices assigned, &c. shall take an oath.

C A P. IV.

None shall maintain any quarrels but their own.

I nous avoms comandez & defenduz tout ent qe null de nostre e de ceux qe sont deas & nostre treschier ne la roigne ou nostre rince de Gales ou dez courtz ou prelatz barouns nautres ne petit de la terre : estate ou condition nt ne preignent que mayns autres qe lour ne lez mainteignent ne per autres en priappiert pur don promise favour ou hayne null autre cause en dede de la ley ou arerif le droit sur payne fuisdit **I**TEM, we have commanded and utterly defended, That none of our house, nor of them that be about us, nor other, which be towards our dear beloved companion the queen, or our son prince of Wales, or towards our courts, nor prelates, earls, barons, nor other great nor small of the land, of what estate or condition they be, shall not take in hand quarrels other than their own, nor the same maintain by them nor by other, privily nor apertly, for gift, promise, amity, favour, doubt, nor fear, nor for none other cause, in disturbance of law and hindrance of right, upon the pains None shall maintain any quarrels but their own.

pains aforeſaid ; but that every man may be free to ſue for and defend his right in our courts and elſewhere, according to the law. (2.) And we have ſtraitly commanded our ſaid ſon, and divers earls and other great men, being before us, that they on their behalf ſhall do to be kept this ordinance without default, and that they ſuffer none which be towards them to attempt againſt this ordinance by any way.

3Ed.1.c.28.
28Ed.1.stat.3.
c.11.
1Ed.3.stat.2.
c.14.
1R.2.c.4.

dit einz qe cheſcune homme purra eſtre frank de ſon droit ſuere & defendre en noz courtz & aillours ſolonque la ley. Et ſi avoms entierement commaunde a noſtre dit fitz le prince & as diverſez counteez & autres graundez eſteantz devers nous qils facent gardier de leur parti ceſt ordeignauce ſaunz defaulte & qils ne ſuffrent null qe ſount devers eux riens faire ou attempner cowntre meſme lordeignauce per qeconque voie.

C A P. V.

Lords and great men ſhall put thoſe out of their ſervices, which be maintainers of quarrels.

ITEM, *because we be informed, that many bearers and maintainers of quarrels and parties in the country be maintained and borne by lords, whereby they be the more encouraged to offend, and by procurement covine and maintenance of ſuch bearers in the country many people be diſherited, and ſome delayed and diſturbed of their right, and ſome not guilty convicted and condemned or otherwiſe oppreſſed, in the undoing of their eſtate, and in the notorious deſtruction of our people :* We have commanded and do command, That all the great men from henceforth ſhall void from their retinue fees and robes all ſuch bearers and maintainers in the country, without ſhewing to them any aid, favour, or comfort in any manner. And moreover we have ordained to do come before us at a certain day, or before them whom we ſhall depute of our council, ſuch bearers and maintainers of divers counties, and them do to be diligently examined and charged, that they from henceforth void

Great men
ſhall diſcharge
from their ſervice
thoſe
who are maintainers.

ITEM pur ceo qe nous ſumus enformeſ qe pluſours meſnours & maintenours dez querelx & partiez en pays ſount maintenez & covertz pur ſeignurs per ont ils ſount le pluſ esbaudez de meſprendre & per procurement covine et maintenaunce dez tielx menours en pays ſoient pluſours gentz diſheritez & aſcuns delaiez & deſtourbez en leur droit & aſcuns nient coupables convicted & condempnez ou autrement oppreſſez en deſeſaunce de leur eſtate & en notorie deſtruction & oppreſſion de noſtre poeple ſi avoms commaunde & commaundoms qe toutz lez graundez ouſtent deſore en avaunt de leur retenuz ſeez & robez toutz tielx meſnours & maintenours en pays ſaunz null favour eide ou comfort faire a eux deſore en qeconque manere Et ouſtre ceo nous avoms ordeigne de faire venir a certain jour devaunt nous ou ceux qe nous deputerons de noſtre counſeil tielx menours & maintenours dez diverſez countees & de lez faire

xaminer & charger assien-
ent qils se oustent desore
ielz maintenauncez &
ementz faire en pays en
e de nostre poeple & ceo
evousez peynez qe lour
nt monstrez.

void them of such maintenances
or other procurements making
in the country in damage of our
people ; and that upon grievous
pains, which to them shall
be shewed.

CAP. VI.

*Justices of assise shall enquire of and punish the misdemeanour
of officers and other offenders.*

M voloms & avoms or-
gne qe justices as assisez
e assignez eient sufficeant
ission denquere & qils
gent en lour sessions dez
hetours baillifs dez fran-
& leur south-ministrez
xint dez maintenours
unes assifours & jurours
s sur dez douns regardez
es profitz qe les ditz mi-
pernent du poeple pur
ficez & de ceo qe atteint
office & pur larraie dez
s mettantz en icelles
s suspectz & de male
t de ceo qe lez mainte-
assifours & jurours per-
ouns regardes & lowers
riez dount perdez & da-
trop grevouséz avieig-
poeple de jour en autre
version de la ley & de-
nce de commune droit
unir toutz ceux qe ent
it trovez coupablez so-
eo qe la reason demande
te sibien de Roi come de
Et sur ceo avoms charge
anceller & tresorer doier
intz dez tous ceux qe
e se voudront & de or-
e hastive droit & reme-
soit fait pur quoy vous
ms qe lez pointz & or-
ncez susditz facez o-
ent monstrez & publier
one a Westmynstre, &c.

ITEM, we will and have or-
dained, That the justices
assigned to take assises shall
have commissions sufficient to
inquire, and that they shall in-
quire in their sessions of sheriffs,
escheators, bailiffs of franchises,
and their under-ministers, and
also of maintainers, common
embraceors, and jurors in the
country, and of the gifts, re-
wards, and other profits, which
the said ministers do take of
the people to execute their of-
fice, and that which pertaineth
to their office, and for making
the array of pannels, putting
in the same suspect jurors, and
of evil fame, and of that main-
tainers, embraceors, and ju-
rors do take gifts and rewards
of the parties, whereby losses
and damages do very grievously
come daily to the people, in
subversion of the law, and
disturbance of common right,
and to punish all them which
thereof shall be found guilty,
according as law and reason re-
quireth, as well at our suit as
at the parties. (2) And there-
upon we have charged our
chancellor and treasurer to hear
the complaints of all them
which will complain, and to
ordain that speedy remedy be
thereof made. (3) Wherefore
we do command, That thou do
cause the said points and ordi-

Justices of as-
sise shall in-
quire of the
demeanor of
sheriffs, es-
cheators, bai-
liffs and other
officers, and
punish the
offender.

aforesaid openly to be published and shewed at such
places

places within thy bailiwick as thou ſhalt think good, to the end that they which feel themſelves grieved in the form aforeſaid, may purſue for remedy according to the ſaid ordinance, and that our people may perceive our intent and will in this behalf, and the deſire that we have, that even right may be done to all our ſubjects, as well poor as rich, and that the offenders be reſtrained and puniſhed. Dated at *Weſtmiſter* the ſeventh day of *March*, the year of our reign of *England* the twentieth, and of *France* the ſeventh.

Regiſt. 186.
4 Ed. 3. c. 2.
— 11.
34 Ed. 3. c. 4.

The ſtatute of labourers, made 23 EDW. III. and
Anno Dom. 1349.

Nova Statuta.

EDWARD by the grace of God, &c. to the reverend father in Chriſt, William, by the ſame grace archbiſhop of Canterbury, primate of all England, greeting. *Beceuſe a great part of the people, and eſpecially of workmen and ſervants, late died of the peſtilence, many ſeeing the neceſſity of maſters, and great ſcarcity of ſervants, will not ſerve unleſs they may receive exceſſive wages, (2.) and ſome rather willing to beg in idleneſs, than by labour to get their living; we, conſidering the grievous inconveniencies, which of the lack eſpecially of ploughmen and ſuch labourers may hereafter come, have upon deliberation and treaty with the prelates and the nobles, and learned men aſſiſting us, of their mutual counſel, ordained :*

EDWARDUS dei gratia, &c. Venerabili in Chriſto patri W. &c. Quia magna pars populi & maxime operariorum & ſervientium nuper in peſtilentia moriebatur, nonnulli videntes neceſſitatem dominorum & paucitatem ſervientium, ſervire noluerunt, niſi ſalaria reciperent exceſſiva, & alii mendicare malentes in otio quam per laborem perquirere victum ſuum : nos penſantes gravia que exigentia preſertim cultorum & operariorum huiusmodi provenire poſſent incommoda, ſuper hoc cum prelatiſ nobilibus & peritiſ nobiſ aſſiſtentibus deliberationem habuimus & tractatum ; de quorum unanimi conſilio duximus,

CAP. I.

Every perſon able in body under the age of ſixty years, not having to live on, being required, ſhall be bound to ſerve him that doth require him, or elſe committed to the gaol, until he find ſurety to ſerve.

THAT every man and woman of our realm of *England*, of what condition he be, free or bond, able in body, and within the age of threſcore years, not living in merchandize, nor exerciſing any craft, nor having of his own whereof he may live, nor proper land, about whoſe tillage he may himſelf occupy, and not ſerving any other, if he in convenient ſervice
(his

Ex edit.
Raiſtal.

Repealed
5 Eliz. c. 4.

his Eſtate conſidered) be required to ſerve, he ſhall be bounden to ſerve him which ſo ſhall him require. And take only the wages, livery, meed, or ſalary, which were accuſtomed to be given in the places where he oweth to ſerve, the xx. year of our ſign of *England*, or five or ſix other common years next before. Provided always, That the lords be preferred before other in their bondmen or their land tenants, ſo in their ſervice to be retained: ſo that nevertheleſs the ſaid lords ſhall retain no more than be neceſſary for them. And if any ſuch man or woman, being ſo required to ſerve, will not the ſame do, that proved by two true men before the ſheriff or the bailiffs of our ſovereign lord the King, or the conſtables of the town where the ſame ſhall happen to be done, he ſhall not be taken by them or any of them, and committed to the next gaol, there to remain under ſtrait keeping, till he find ſurety to ſerve in the form aforeſaid.

CAP. II.

If a workman or ſervant depart from ſervice before the time agreed upon, he ſhall be impriſoned.

ITEM, If any reaper, mower, or other workman or ſervant, of what eſtate or condition that he be, retained in any man's ſervice, do depart from the ſaid ſervice without reaſonable cauſe or licence, before the term agreed, he ſhall have pain of impriſonment. And that none under the ſame pain preſume to receive or to retain any ſuch in his ſervice.

Ex edit.
Raſtal.
Labourers departing from
their ſervice.

Rep. 5 Eliz. c. 4.

CAP. III.

The old wages, and no more, ſhall be given to ſervants.

ITEM, That no man pay, or promiſe to pay, any ſervant any more wages, liveries, meed, or ſalary than was wont, as afore is ſaid. Nor that any in other manner ſhall demand or receive the ſame, upon pain of doubling of that, that ſo ſhall be ſaid, promiſed, required, or received, to him which thereof ſhall feel himſelf grieved, purſuing for the ſame. And if none ſuch will purſue, then the ſame to be applied to any of the people that will purſue. And ſuch purſuit ſhall be in the court of the lord of the place where ſuch caſe ſhall happen.

Ex edit.
Raſtal.
Servants.

Rep. 5 Eliz. c. 4.

CAP. IV.

If the lord of a town or manor do offend againſt this ſtatute in any point, he ſhall forfeit the treble value.

ITEM, if the lords of the towns or manors preſume in any point to come againſt this preſent ordinance either by them, or by their ſervants, then purſuit ſhall be made againſt them in the counties, wapentakes, tithings, or ſuch other courts, for the treble pain paid or promiſed by them or their ſervants in the form aforeſaid. And if any before this preſent ordinance hath covenanted with any ſo to ſerve for more wages, he ſhall not be bound by reaſon of the ſame covenant, to pay more

Ex edit.
Raſtal.
Lords of towns or manors.

more than at another time was wont to be paid to such person. Nor upon the said pain shall presume any more to pay.

CAP. V.

If any artificer or workman take more wages than were wont to be paid, he shall be committed to the gaol.

Ex edit.
Rastal.
Artificers.

ITEM, That sadlers, skinners, white-tawers, cordwainers, taylors, smiths, carpenters, masons, tilers, shipwrights, carters, and all other artificers and workmen, shall not take for their labour and workmanship above the same that was wont to be paid to such persons the said twentieth year, and other common years next before, as afore is said, in the place where they shall happen to work. And if any man take more, he shall be committed to the next gaol, in manner as afore is

Rep. 5 Eliz. c. 4. said.

CAP. VI.

Victuals shall be sold at reasonable prices.

Victuals shall be sold at a reasonable price, and victuallers shall be content with a moderate gain.

ITEM, That butchers, fishmongers, regrators, hostlers, brewers, bakers, pulsters, and all other sellers of all manner of victual, shall be bound to sell the same victual for a reasonable price, having respect to the price that such victual be sold at in the places adjoining, so that the same sellers have moderate gains, and not excessive, reasonably to be required according to the distance of the place from whence the said victuals be carried. (2) And if any sell such victuals in any other manner, and thereof be convicted in the manner and form afore said, he shall pay the double of the same that he so received, to the party damaged, or, in default of him, to any other that will pursue in this behalf. (3) And the mayors and bailiffs of cities, boroughs, merchant-towns, and others, and of the ports of the sea, and other places, shall have power to inquire of all and singular which shall in any thing offend the same, and to levy the said pain to the use of them at whose suit such offend-

ITEM, quod carnifices piscenarii hostellarii brasiatores pistores pellutarii & omnes alii venditores victualium quorumcunque teneantur huiusmodi victualia vendere pro pretio rationabili, habita consideratione ad pretium quo huiusmodi victualia in locis propinquis venduntur, ita quod habeant huiusmodi venditores moderatum lucrum & non excessivum, prout distantia locorum a quibus victualia huiusmodi carriantur duxerint rationabiliter requirendum. Et si quis huiusmodi victualia alio modo vendiderit, & inde in forma predicta convictus fuerit, solvat duplum illius quod sic recepit dampnificato, & in defectu illius alteri qui prosequi voluerit in hac parte; & habeant potestatem majores & ballivi civitatum & burgorum villarum mercatoriarum et aliarum apud portuum & locorum maritimarum, ad inquirendum de omnibus & singulis qui contra hoc in aliquo deliquerint, & ad penam predictam ad opus illorum ad quorum sectam huiusmodi delinquentes convicti fuerint levandam

Mayors and bailiffs of cities and boroughs shall inquire of offenders, and punish them.

ers

levandam

m. Et in caſu quo ii-
jor & ballivi execution-
remiſſorum facere ne-
it, & de hoc coram ju-
per ipſum regem affig-
onvicti fuerint, tunc ii-
jor & ballivi ad triplum
ndite hujusmodi damp-
, vel alteri in defectu il-
oſequenti ſolvendum,
dem juſtitarios com-
ir, & nichilominus quod
nos graviter puniantur.

ers ſhall be convict. (4) And
in caſe that the ſame mayors
and bailiffs be negligent in do-
ing execution of the premiſes,
and thereof be convict before
our juſtices, by us to be assign-
ed, then the ſame mayors and
bailiffs ſhall be compelled by
the ſame juſtices to pay the
treble of the thing ſo ſold to
the party damnified, or to any
other in default of him that
will purſue; and nevertheleſs
towards us they ſhall be griev-
ouſly puniſhed.

13 E. 2. ſtat. 1.
c. 3.
12 Ed. 4. c. 8.
25 H. 3. c. 2.

CAP. VII.

*Perſon ſhall give any thing to a beggar that is able to
labour.*

*I, becauſe that many valiant beggars, as long as they may live
egging, do reſuſe to labour, giving themſelves to idleneſſe and
d ſometime to theſt and other abominations; none upon the ſaid
imprifonment ſhall, under the colour of pity or alms, give any
ſuch, which may labour, or preſume to favour them towards their
ſo that thereby they may be compelled to labour for their neceſſa-
r: Wherefore our ſaid ſovereign lord the King, the xliiii. Sheriffs.
June, the xxliii. year of his reign, hath commanded to all
of England by divers writs, that they ſhall do openly to be
ned and holden, all and ſingular the premiſes in the
s, boroughs, merchant-towns, ſea-ports, and other
n their bailiwicks, where to them ſhall ſeem expedient:
t they do thereof due execution, as afore is ſaid.*

Ex edit.
Raſtal.
Beggars.

Repealed by
1 Ed. 6. c. 3. &
21 Jac. 1. c. 28.

CAP. VIII.

*t taketh more wages than is accuſtomably given, ſhall
the ſurpluſage to the town where he dwelleth, towards
yment to the King of a tenth and fifteenth granted to*

*requently our ſovereign lord the King, perceiving by the common
plaint, that his people, for ſuch exceſſive ſtipend, liveries, and
which to ſuch ſervants, labourers, and workmen were conſtrain-
l, be oppreſſed, and that the diſme and quinzime to him attain-
bt not be paid, unleſs remedy were therefore provided: regard-
the coaſtions and manifeſt extortions, and that there was no
hich againſt ſuch offenders, did purſue for the ſaid commodity
red to be obtained: wherefore it was conſonant, that that
hich was ordained to be applied to ſingular uſes, ſeeing that the
-ſons did not, nor would not, purſue, ſhould be converted to a
and common profit, by the advice of his counſel, Hath ordain-
od,*

Ex edit.
Raſtal.
Regiſt. 189.

Workmen,
servants, arti-
ficers.

ed, That all and ſingular workmen, ſervants and artificers, as well men as women, of whatſoever eſtate or condition they be, taking more for their labours, ſervices, and workmanſhip, than they were wont to take the ſaid xx. year, and other years aforeſaid, ſhould be aſſeſſed to the ſame ſum; which they ſhall receive over and above, with other ſums as well for the time paſt, when the ſtipend, wages, liveries, and prices were augmented, as for the time then to come. And that the ſaid whole ſum received over and above, ſhould be levied of every of them, and gathered to the King's uſe, in alleviation of every of the towns, whereof the ſaid artificers, ſervants, and labourers be, towards the payments of the ſums of the diſme and quinzime yet running, whereunto the ſame towns or people of the ſame were aſſeſſed. So that always, the ſame diſme and quinzime ended, all the ſame money, liveries, and prices, or the value of the ſame liveries, which, (as afore is ſaid) ſhould be over and above received of them, and every of them, ſhould be levied and gathered by them, whom the King will thereto aſſign, to the King's uſe, in alleviation, and ſupportation of the realm of *England*. And that they which for the ſame to ſerve; or the ſaid ſums ſo by them over and above received, and before aſſeſſed to pay, and their crafts and work to exerciſe do reſuſe, they ſhall be incontinently arreſted by the taxers and collectors of the ſaid diſme and quinzime, or any of them, in every of the ſaid towns deputed to execute the premiſſes, or by the bailiffs of the places, or conſtables of the towns, when they be thereof certified, and committed to the gaol, there to remain till they have found ſurety to ſerve, and ſhall pay that that they ſhall above receive, according to the ſame ordinances, or till the King ſhall ſome other thing thereof demand. And always it is the intent of the King and of his council, that according to the firſt ordinance it ſhould be lawful, and ſhall be lawful to every man, to purſue againſt all exceeding the ſame, or not obeying to the ſame, and the thing recovered to be applied to his own uſe. And there-

Curates, ſti-
pendiary
priests.

fore our ſaid ſovereign lord the King hath commanded all archbiſhops, and biſhops, that they do to be publiſhed the premiſes in all places of their dioceses, commanding the curates and other ſubdiocesan, that they compel their parochians to labour, according to the neceſſity of the time, and alſo their ſtipendiary prieſts of their ſaid dioceses, which do now exceſſively take, and will not, as it is ſaid, ſerve for a competent ſalary, as hath been accuſtomed, upon pain of ſuſpenſion and interdiction. And that in no wiſe ye omit the ſame, as ye love us and the commonwealth of our realm. Dated the day and year aforeſaid.

Statuta in parlamento tento apud Westm' in octabis Purificationis beate Marie Virginis anno regni domini EDWARDI Regis Anglie & Francie; Anglie videlicet vicesimo quinto, regni vero sui Francie duodecimo.

A Statute of Labourers, made Anno 25 EDW. III. Stat. 1. and A. D. 1350.

COME nadgairs contre la malice de servantz queux furent parçissoules & nient voilantz servir apres la pestilence sanz trop outrageoules lowers prendre feut ordine par nostre seignur le Roi & par assent des prelatz nobles & autres de son conseil qe tieux maners de servantz sibien hommes come femmes fussent tenuz de servir receyvantz salaries & gages acoustumez es lieux ou ils devoient servir lan du regne le dit nostre seignur le Roi vintisme ou cynk ou sis annz devant et qe mesmes les servantz refusantz servir par autiele manere fussent punys par emprisonnement de leur corps sicome en mesme lordenance est contenuz plus au playn sur quoi commissions furent faites as diverses gentz en chescun counte denquere & punir touz ceux q'i venissent au contraire. Et a par tant qe done est entendre a nostre dit seignur le Roi en cest present parlement par la petition de la commune qe les ditz servantz nient ciantz regard a la dite ordenance mes a leur eses & singulieres covetises se retireent de servir as grantz ou as autres fils neyent liverisons & lowers au double ou treble de ceo qils soloient prendre le dit an vintisme & devant a grant damage des grantz & empoverissement des touz ceux de la

WHEREAS late against the malice of servants, which were idle, and not willing to serve after the pestilence, without taking excessive wages, it was ordained by our lord the King, and by assent of the prelates, earls, barons; and other of his council, That such manner of servants, as well men as women, should be bound to serve, receiving salary and wages, accustomed in places where they ought to serve in the twentieth year of the reign of the King that now is, or five or six years before; and that the same servants refusing to serve in such manner should be punished by imprisonment of their bodies, as in the said statute is more plainly contained; (2) whereupon commissions were made to divers people in every county to enquire and punish all them which offend against the same. (3) And now forasmuch as it is given the King to understand in this present parliament, by the petition of the commonalty, that the said servants having no regard to the said ordinance; but to their ease and singular thrift, do withdraw themselves to serve great men and other, unless they have livery and wages to the double or treble of that they were wont to take the said twentieth year, and before, to the great damage of the great men, and impoverishing of all the said commonalty, wherof the said commonalty prayeth remedy: (4) wher-

wherefore in the same parliament, by the assent of the said prelates, earls, barons, and other great men of the same community there assembled, to restrain the malice of the said servants, be ordained and established the things under-written.

la dite communaulte dont il estoit prie par mesme la communaulte de remede par quoi en mesme la parlement par assent des prelatz countes barons & autres grantz & de la dite communaulte illoques assemblez pur restryndre la malice des ditz servants iout ordenez & establies les choses suzscriptz cest affavoir.

CAP. I.

The year and day's wages of servants and labourers in husbandry.

Ex edit.
Rassal.
Wages of labourers.

FIRST, That carters, ploughmen, drivers of the plough, shepherds, swineherds, deies, and all other servants, shall take liveries and wages, accustomed the said twentieth year, or four years before, so that in the country, where wheat was wont to be given, they shall take for the buihel ten pence, or wheat at the will of the giver, till it be otherwise ordained. And that they be allowed to serve by a whole year, or by other usual terms, and not by the day. And that none pay in the time of farcling or hay-making but a penny the day. And a mower of meadows for the acre five pence, or by the day five pence. And reapers of corn in the first week of *August* two pence, and the second three pence, and so till the end of *August*, and less in the country where less was wont to be given, without meat or drink, or other courtesy to be demanded, given, or taken. And that all workmen bring openly in their hands to the merchant towns their instruments, and there shall be hired in a common place and not privy.

Mower.

Reaper.

Rep. Eliz. c. 4.

CAP. II.

How much shall be given for threshing all sorts of corn by the quarter. None shall depart from the town in summer where he dwelt in winter.

Ex edit.
Rassal.
Thresher.

ITEM, That none take for the threshing of a quarter of wheat or rye over ii. d. ob. and the quarter of barley, beans, pease, and oats, i. d. ob. if so much were wont to be given, and in the country, where it is used to reap by certain sheaves, and to thresh by certain bushels, they shall take no more nor in other manner than was wont the said xx. year and before. And that the same servants be sworn two times in the year before lords, stewards, bailiffs, and constables of every town, to hold and do these ordinances. And that none of them go out of the town, where he dwelleth in the winter, to serve the summer, if he may serve in the same town, taking as before is said. Saving that the people of the counties of *Stafford*, *Lancaster*, and *Derby*, and people of *Craven*, and of the marches of *Wales* and *Scotland*, and other places, may come in time of *August*, and labour

Servants sworn.

in other counties, and ſafely return, as they were wont to do before this time. And that thoſe, which refuſe to make ſuch oath, or to perform that that they be ſworn to, or have taken upon them, ſhall be put in the ſtocks by the ſaid lords, ſtewards, bailiffs, and conſtables of the towns by three days or more, or ſent to the next gaol, there to remain, till they will juſtify themſelves. And that ſtocks be made in every town by ſuch occaſion betwixt this and the feaſt of *Pentecoſt*. Regiſt. 189.
Rep. 5 Eliz. c. 4.
Stocks.

C A P. III.

The wages of ſeveral ſorts of artificers and labourers.

[TEM, That carpenters, maſons, and tilers, and other workmen of houſes, ſhall not take by the day for their work, but in manner as they were wont, that is to ſay ; A maſter carpenter, iii. d. and an other ii. d. A maſter free maſon iii. d. and other maſons iii. d. and their ſervants i. d. ob. tylers iii. d. and their knaves i. d. ob. and other coverers of fern and ſtraw i. d. and their knaves i. d. ob. plaſterers and other workers of mudwalls, and their knaves, by the ſame manner, without meat and drink. s. from *Eaſter* to Saint *Michael*. And from that time ſs, according to the rate and diſcretion of the juſtices, which ſhould be thereto aſſigned. And that they that make carriage by land or by water, ſhall take no more for ſuch carriage to be made, than they were wont the ſaid xx. year, and iii. years before. Ex edit.
Raſtal.
Carpenters,
maſons, tilers,
thatchers,
mudwall-
makers.
Rep. 5 Eliz. c. 4.

C A P. IV.

boes, &c. ſhall be ſold as in the 20th year of King Edward the 3d. Artificers ſworn to uſe their crafts as they did in the 20th year of the ſame King.

[TEM, That cordwainers and ſhoemakers, ſhall not ſell boots nor ſhoes, nor none other thing touching their myſtery, in any other manner than they were wont the ſaid xx. year, and ſo goldſmiths, ſadlers, horſeſmiths, ſpurriers, tanners, curriers, makers of leather, taylors, and other workmen, artificers and labourers, and all other ſervants here not ſpecified, ſhall be ſworn before the juſtices, to do and uſe their crafts and offices in the manner as they were wont to do the ſaid xx. year, and in the ſame before, without refuſing the ſame becauſe of this ordinance. And if any of the ſaid ſervants, labourers, workmen, or artificers, after ſuch oath made, come againſt this ordinance, he ſhall be puniſhed by fine, and ranſom, and imprifonment after the diſcretion of the juſtices. Cardwainers,
ſhoemakers.
Artificers
ſworn.
Repealed by
5 Eliz. c. 4.
1 Jac. 1. c. 23.

C A P. V.

The ſeveral puniſhments of perſons offending againſt this ſtatute.

[TEM, That the ſaid ſtewards, bailiffs, and conſtables of the ſaid towns, be ſworn before the ſame juſtices, to inquire diſcreetly by all the good ways they may, of all them that come againſt this ordinance, and to certify the ſame juſtices of their names. Ex. edit.
Raſtal.

Stewards, bailiffs, conſtables.

Puniſhment of oath breaking.

Hoſtlers, victuallers.

Rep. Eliz. c. 4.

names at all times, when they ſhall come into the country to make their ſeſſions, ſo that the ſame juſtices in certification of the ſame ſtewards, bailiffs, and conſtables, of the names of the rebels, ſhall do them to be attached by their body, to be before the ſaid juſtices, to answer of ſuch contempt, ſo that they make fine and ranſom to the King, in caſe they be attained. And moreover to be commanded to priſon, there to remain, till they have found ſurety, to ſerve, and take and do their work, and to ſell things vendable in the manner aforeſaid. And in caſe that any of them come againſt his oath, and be thereof attained, he ſhall have imprifonment of forty days. And if he be another time convict, he ſhall have imprifonment of a quarter of a year, ſo that at every time that he offendeth and is convict, he ſhall have double pain. And that the ſame juſtices, at every time they come into the country, ſhall enquire of the ſaid ſtewards, bailiffs, and conſtables, if they have made a good and lawful certificate, or any conceal for gift, procurement, or affinity, and puniſh them by fine and ranſom, if they be found guilty. And that the ſame juſtices have power to enquire and make due puniſhment of the ſaid miniſters, labourers, workmen and other ſervants. And alſo of hoſtlers, herbergers, and of thoſe that ſell victual by retail, or other things here not ſpecified, as well at the ſuit of the party, as by preſentment, and to hear and determine, and put the things in execution by the *exigent* after the firſt *capias*, if need be, and to depute other under them, as many and ſuch as they ſhall ſee beſt for the keeping of the ſame ordinance. And that they, which will ſue againſt ſuch ſervants, workmen, labourers, and artificers, for exceſs taken of them, and they be thereof attained at their ſuit, they ſhall have again ſuch exceſs. And in caſe that none will ſue, to have again ſuch exceſs, then it ſhall be levied of the ſaid ſervants, labourers, workmen and artificers, and delivered to the collectors of the *quinzime*, in alleviation of the towns where ſuch exceſſes were taken.

C A P. VI.

Sheriffs, conſtables, bailiffs, gaolers, nor other officers, ſhall exact any thing of the ſame ſervants. The forfeitures of ſervants ſhall be employed to the aid of diſmes and quinzimes granted to the King by the commons.

Ex edit. Rataſſ. Sheriffs, conſtables, bailiffs, gaolers, clerks of juſtices, &c.

Juſtices.

ITEM, That no ſheriffs, conſtables, bailiffs, and gaolers, the clerks of the juſtices, or of the ſheriffs, nor other miniſters whatſoever they be, take any thing for the cauſe of their office of the ſame ſervants, for fees, ſuit of priſon, nor in other manner, and if they have any thing taken in ſuch manner, they ſhall deliver the ſame to the collectors of *diſmes* and *quinzimes*, in aid of the commons, for the time that the *diſme* and *quinzime* doth run; as well for the time paſt, as for the time to come. And that the ſaid juſtices enquire in their ſeſſions, if the ſaid miniſters have any thing received of the ſame ſervants, and that that they ſhall find by ſuch inqueſte, that the ſaid miniſters have received, the

he same justices shall levy of every of the said ministers, and deliver to the said collectors, together with the excess and fines and ransoms made, and also the amerciaments of all them which shall be amerced before the said justices, in alleviation of the said owns, as afore is said. And in case the excess found in one own doth exceed the quantity of the *quinzime* of the same town, the remnant of such excess shall be levied and paid by the said collectors to the next poor towns, in aid of their *quinzime*, by advice of the said justices. And that the fines and ransoms, ^{Fines.} excesses and amerciaments of the said servants, labourers and artificers, for the time to come running of the said *quinzime*, be delivered to the said collectors, in the form aforesaid, by indentures to be made betwixt them and the said justices, so that the same collectors may be charged upon their accompt by the same indentures, in case that the said fines, ransoms, amerciaments, and excesses be not paid in aid of the said *quinzime*. And seeing the said *quinzime*, it shall be levied to the King's use, and answered to him by the sheriffs of the counties. ^{2 Bulstr. 335a}

CAP. VII.

The justices shall hold their sessions four times a year, and at all times needful. Servants which flee from one country to another shall be committed to prison.

[TEM, That the said justices make their sessions in all the counties of England at the least four times a year, that is to say, at the feast of the Annunciation of our Lady Saint *Margaret*, Saint *Michael*, and Saint *Nicholas*. And also at all times that shall need, according to the discretion of the said justices. And that those that speak in the presence of the said justices, or other things do in their absence or presence, in encouraging or maintenance of the said servants, labourers or artificers against his ordinance, shall be grievously punished by the discretion of the same justices. And if any of the said servants, labourers, ^{Ex edit. Rastal. Justices sessions.} artificers do flee from one county to another, because of this ordinance, that the sheriffs of the county where such fugitive persons shall be found, shall do them to be taken, at the commandment of the justices of the counties from whence they shall flee, and bring them to the chief gaol of the same county, there to abide till the next sessions of the same justices. And that the sheriffs return the same commandments before the same justices at their next sessions. And that this ordinance be holden and kept, as well in the city of *London*, as in other cities and boroughs, and other places throughout the land, as well within manerises as without. ^{Servants, labourers, artificers. Sheriffs.}

Altered by
2 H. 5. c. 4.
Rep. 5 Eliz. c. 4.

A statute made Anno 25 EDW. III. stat. 2. and Anno Dom. 1350. of those that be born beyond sea.

In what place bastardy pleaded against him that is born out of the realm shall be tried.

OUR lord the king, at his parliament holden at Westminster, at the utas of the purification of our Lady, the year of his reign of England the five and twentieth, and of France the twelfth, considering the great mischiefs and damages which have happened to the people of his realm of England, as well because that the statutes ordained before this time have not been holden and kept as they ought to be, as because of the mortal pestilence that late reigned, and willing to provide for the quietness and common profit of his said people convenient remedy; therefore by the assent of the prelates, earls, barons, and other great men, and all the commons of his said realm summoned to the parliament, hath ordained and established the things underwritten, *videlicet*, (2) because that some people be in Doubt, if the children born in the parts beyond the sea, out of the ligeance of England, should be able to demand any inheritance within the same ligeance, or not, whereof a petition was put in the parliament late holden at Westminster, the seventeenth year of the reign of our lord the King that now is, and was not at the same time wholly assented; (3) our lord the King, willing that all doubts and ambiguities should be put away, and the law in this case declared and put in a certainty, hath charged the said prelates, earls, barons, and other wise men of his council, assembled

NOSTRE Seignur le Roi a son parlement tenu a Westminster a les octaves de la purification de nostre Dame lan de son regne d'Engleterre vintisme quint & de France douzisme considerant les grantz meschiefs & damages que sont avenuz au poeple de son roialme d'Engleterre sibien pur ce que les estatutz devant ces heures ordenez nount mie este tenuz & gardez come ils devoient come par cause de la pestilence mortiele que nadgairs dura et veillant purvoier au quiete & commune profit de son poeple sur ce remedie convenable par assent de prelatz countz barons & autres grantz & tote la communalte de son dit roialme au dit parlement somons ad ordene & establi les choses souzscriptes cest assavoir pur ce que ascunes gentz estoient en awere si les enfantz neez es parties de dela dehors la ligeance d'Engleterre ferroient ables a demander heritage deinz meisme la ligeance ou nemie de quoi petition feust mis autrefoitz en parlement tenuz a Weymonster lan nostre dit seignur le Roi dys & septisme & ne feust mie a tieu temps en tout assentu nostre dit seignur le Roi veillant que totes doutes & awers feussent oustez & la loi en ce cas declarée & mis en certain fist charger les prelatz countes barons & autres sages de son conseil assemblez a ce parlement a faire deliberation sur cel point Les queux dunt assent

ount dit qe la lei de la
dEngleterre est & ad
uz jours tiele qe les en-
des Rois dEngleterre
part qils soient neez en
terre ou aillours sont
e doivent porter heritage
la mort lour auncestres
le lei nostre seignur le
s ditz prelatz countz
& autres grantz & tote
munalte assemblez el
lement approuvent et as-
ent pur toutz jours. Et
des autres enfantz neez
e la ligeance dEngleterre
nps nostre dit seignur le
sont ils uniement acor-
e Henri fitz Johan de
ound Elizabeth fill Guy
an et Giles fitz Rauf
neye et autres queux le
rra nomer qi nasquirent
la hors de la ligeance
terre soient desore ables
et enjoier leur heritages
a mort lour auncestres
tz deinz la ligeance
terre si avant come ceux
quirent deinz meisme la
e Et qe toutz les enf-
s qi seront neez desore
la ligeance le Roi des
enfantz les piere et mi-
temps du nestre sont et
a la foi et de la ligeance
dEngleterre cient et en-
meismes les benefice et
ge daver et porter heri-
tanz la dite ligeance co-
autres heriters avantditz
nps avenir Issint totes
e les mieres de tieux en-
passent la meer par con-
volunte de lour barons,
alleggee soit contre nul
e par dela qil est bastard
ou levesqe doit avoir
nce de bastardie soit
e a levesqe du lieu ou
lande est de certifier la
court

in this parliament to deliberate
upon this point; all which of
one assent have said, That the
law of the crown of *England* is,
and always hath been such,
that the children of the Kings
of *England*, in whatsoever parts
they be born, in *England* or
elsewhere, be able and ought
to bear the inheritance after the
death of their ancestors; which
law our said lord the King, the
said prelates, earls, barons, and
other great men, and all the
commons assembled in this
parliament, do approve and af-
firm for ever. (4) And in the
right of other children born
out of the ligeance of *England*,
in the time of our lord the King,
they be of one mind accorded,
that *Henry* son of *John de*
Beaumont, *Elizabeth* daughter
of *Guy de Bryan*, and *Giles* son
of *Ralph Dawbery*, and other
which the King will name,
which were born beyond the
sea, out of the ligeance of *Eng-*
land, shall be from henceforth
able to have and enjoy their
inheritance after the death of
their ancestors, in all parts
within the ligeance of *England*,
as well as those that should be
born within the same ligeance.
(5) And that all children in-
heritors, which from henceforth
shall be born without the lige-
ance of the King, whose fathers
and mothers at the time of
their birth be and shall be at
the faith and ligeance of the
King of *England*, shall have
and enjoy the same benefis
and advantages, to have and
bear the inheritance within the
same ligeance, as the other in-
heritors aforesaid in time to
come; so always, that the mo-
thers of such children do pass
the sea by the licence and wills

The King's
children bein-
heritable in
England,
wheresoever
they be born.

The children
of others born
beyond the
Sea.
42 Ed. 3. c. 10.
Bro. Denizen.
6. 14.

Dyer, 224.
Co. Lit. 8.
Cro. Eliz. 3.
Cro. Car 602.
1 Ventr. 428.
4 Geo. 2. c. 21.

Trial of bastardy pleaded against him which is born out of England. Rast. 105.

of their husbands. (6) And if it be alledged against any such born beyond the sea, that he is a bastard, in case where the bishop ought to have cognisance of bastardy, it shall be commanded to the Bishop of the place where the demand is, to certify the King's court where the plea thereof hangeth, as of old times hath been used in the case of bastardy alledged against them which were born in *England*, court le Roi ou le ple ent pendre si come auntienement ad este usee en cas de bastardie allegge contre ceux qi nasquirent en Engleterre.

A statute for the clergy, made *Anno 25 EDW. III.*
stat 3. and *Anno Dom. 1350.*

OUR lord the King, seeing and examining by good deliberation the petitions and articles delivered to him in his parliament holden at Westminster in the feast of St. Hillary, the year of his reign of England the five and twentieth, and of France the twelfth, by the honourable father in God, Simon archbishop of Canterbury, and other bishops of his province, upon and for certain grievances, which they alledged to be done to holy church, and to the clergy, against the privileges of holy church; and then they prayed, that a conveniabile remedy might be thereof ordained, to the reverence of God and of holy church; by the assent of his parliament, for him and his heirs willeth and granteth the points underwritten.

NOSTRE seigneur le Roi veues & examinez par bone deliberation les petitions & articles a lui balliez en son parlement tenuz a Westmonster en la feste de seint Hillar lan de son regne d'Engleterre vintisme quint et de France dufzisme par lonourable piere en Dieu Simon ercevesque de Cantorbirs & autres evesques de sa province sur & pur certaines grevances queles ils disoient estre faites a seinte eglise & a la clergie encontre les privileges de seinte eglise & dunk ils prierent qe covenable remede en fust ordene al reverence de Dieu & de seinte eglise & de lassent de son dit parlement pur lui & ses heirs voet & grant les pointz southescriptz.

CAP. I.

All privileges granted to the clergy confirmed. The King nor his heirs shall present to a benefice of another's right of any time of his progenitors.

FIRST, That all the privileges and franchises granted heretofore to the said clergy be confirmed and holden in all points. (2) And as touching presentments to be made by our lord the King, or any of his heirs, to a benefice of holy church

The King nor his heirs shall not present to a benefice of another's right

PRimerement qe toutz les franchises & privileges grantez par devant a la dite clergie soient confermez & tenuz en toutz pointz. Et quant as presentementz affaire par nostre dit seigneur le Roi ou nul de ses heirs as benefices de seinte eglise

autri droit par auncien
ostre seignur le Roi al ho-
e Dieu & de seinte eglise
& grant de meisme lassent
it dit parlement qe desore
ul de ses heirs ne prendra
e presenter a nul benefice
tri droit de nul temps de
ogenitours ne qe nul pre-
son roialme soit tenuz de
re nul tiel presentement
ne ent faire execution ne
Justice del une place ne
tre pousse ne deive sur nul
resentement affaire plee
ou juggement doner mes
dit Roi et ses heirs soi-
toutz tieux presente-
forbarrez as touz jours
au dit Roi & a ses heirs
tielx presentementz en au-
it de tout son temps & de
avenir.

church in another's right by old
title, our said lord the King,
to the honour of God and holy
church, willeth and granteth,
of the assent of the said parlia-
ment, that from henceforth he
nor any of his heirs shall not
take title to present to any be-
nefice in any other's right of
any time of his progenitors;
(3) nor that any prelate of his
realm be bound to receive any
such presentment to be made,
nor to do thereof any executi-
on; (4) nor that any justice
of the one place, or the other,
may not nor ought not to hold
plea, or give jndgement upon
any such presentment to be
made; (5) but that the said
King and his heirs be for ever
hereafter clearly barred of all
such presentments; (6) *saving*
always to him and his heirs all such

of any time of
his progeni-
tors.

Vide Hill.
9 Car. 1. the
King v.
Prytt.
Cro. Car. 355.
W. Jones. 336.

ments in another's right fallen, or to fall, of all his time,
the time to come.

CAP. II.

*of the statute of Anno 14 Ed. 3. stat. 4. cap. 2.2.
concerning the King's presentment to a church of another's
right.*

pur ce qe en parlement
tenuz a Westmonstier lan
ne nostre dit seignur le
patorzisme entre autres
adonques grantez as pre-
a seinte eglise estoit or-
le Roi ne prendroit
presenter a nul benefice
i droit forsque de vacati-
aviendrent des tielx
es deinz trois annz pro-
devant son presentement
chose semblaist trop pre-
e au Roi & a ses heirs
est en cest parlement
te ordinance quant a ce
oit tenu pur nule & qe
s autres articles conte-
meisme lordenance &
grantes

AND because in the parlia-
ment holden at Westmin-
ster the fourteenth year of the
reign of our lord the King that
now is, amongst other things then
granted to the prelates of holy
church, it was ordained, That the
King should not take title to pre-
sent to any benefice in another's
right, but of the voidances which
shall happen of such benefices with-
in three years next before his pre-
sentment, which thing seemeth
very prejudicial to the King and
his heirs; (2) it is accorded in
this present parliament, That
the said ordinance, as to this
point, shall be holden for none;
but nevertheless, that all the
D 4

A repeal of
the statute
14 Ed. 3.
stat. 4. c. 2.
touching the
King's pre-
sentment to a
church in an-
other's right

grantes adonques faitz a seinte
eglise estoient en leur force.

other articles contained in the
said ordinance and grant then
made to holy church, shall
stand in their force.

CAP. III.

*When the King presenteth to a benefice in another's right,
his title shall be examined.*

ITEM, *Whereas before this
time our lord the King hath
taken title to present to benefices at
the suggestion of many clerks,
where the title hath not been true,
and by such presentments and
judgements thereupon given, the
clerks have been received by the
ordinaries of the places, against
God and good faith, and in de-
pression of them which had good
and true title to the said benefices;*

*(2) now the King will and
granteth, That at what time he
shall take collation or presenta-
ment from henceforth to any
benefice in another's right, that
the title whereupon he ground-
eth himself shall be well ex-
amined that it be true; (3)
and at what time before judge-
ment the title be found by good
information untrue or unjust,
the collation or presentment
thereof made, shall be repea-
led; (4) and the patron, or
the possessor, which shall shew
and prove the false title, shall
have thereupon writs put of the chancery as many as to him
shall be needful.*

When the
King maketh
collation to
present to a
church in a-
nother's right
his title shall
be examined.

Post. c. 7.
23 R. 2. stat.
2. c. 1.
4 Hen. 4. c. 22.

CAP. IV.

*All clerks convicted of felony or treason shall be delivered to
their ordinaries.*

ITEM, *Whereas the said pre-
lates have grievously complained,
praying thereof remedy, for that
secular clerks, as well chaplains as
other monks, and other people of
religion, have been drawn and
hanged by award of the secular
justices, in prejudice of the fran-
chises of holy church, and in op-
pression*

ITEM come les ditz prelatz
eient grevouement pleint
empreiant ent remedie de ce
qe clerks seculers auxi bien
chappelleins come autres moig-
nes & autres gentz de religion
eient este treinez & penduz
par agard des justices seculers en
prejudice des franchises & de-
pression

Hob. 288.
—294.

n de jurisdiction de seinte
fi est accorde & grantee
Roi en son dit parlement
uz maneres des clerks
en seculers come religi-
si serront desore convictez
les justices seculers pur
nques felonies ou trefons
antes autres persones que
i meismes ou sa roiale
eient & enjoient fran-
nt desore privilege de
eglise & soient faunz nu-
eschement ou delai live-
es ordinaries eux deman-

Et pur ce grant le dit
seque promist au Roi que
ounissement et sauve gard
ax clerks messieurs que
enfy as ordenares live-
ent serroit ordenance
ible par la quelle tieux
ent serroient salvement
& duement punitz enfi
l clerks emprendreit mes-
re de enfi messieurs par
e de chastisement,

pression of the jurisdiction thereof;
(2) it is accorded and granted
by the said King in his parla-
ment, That all manner of
clerks, as well secular as reli-
gious, which shall be from
henceforth convict before the
secular justices aforesaid, for
any treasons or felonies touch-
ing other persons than the King
himself, or his royal majesty,
shall from henceforth freely
have and enjoy the privilege of
holy church, and shall be, with-
out any impeachment or delay,
delivered to the ordinaries de-
manding them. (3) And for this
grant the said archbishop pro-
miseth to our lord the King,
that upon the punishment and
safe keeping of such clerks of-
fenders, which so shall be de-
livered to the ordinaries, he
shall thereof make a convenient
ordinance, whereby they shall
be safely kept and duly punish-
ed, so that no clerk shall take
courage to offend for default
of correction.

Bro. clerg. 25.
18 El. c. 7.
A clerk which
shall be con-
vict of any
treason or fe-
lonies not
touching the
King shall be
delivered to
the ordinary.

CAP. V.

clerk shall be arraigned of all his offences at once.

Item coment que clerks a-
es de felonie devant jus-
seculers que chalengeient
lergie & seurent deman-
ar le ordinaire del lieu
estee sovent avant ces
remandez a la gaole
ditz justices surmettant
que homme ad autre chose
devers eux nient meins
que commune lei est que
en tieu cas ne doit estre
de a la gaole mes doit
enant estre arenee de tout
tremement delivres al orde-
acorde est que cest point
arde par toutes maneres
ustices & jugges seculers
ute poistre roialme,

ITEM, although that clerks
arraigned of felony before se-
cular justices, which challenged
their clergy, and were demanded
by the ordinary of the place, have
been often before this time re-
manded to the gaol by the said
justices, surmising to them, that
other things be to be said against
them; (2) nevertheless because
the common law is, That a clerk
in such case ought not to be re-
manded to the gaol, but ought to
be presently arraigned of all, or
otherwise delivered to the ordi-
nary; It is accorded, That this
point be kept by all manner
of justices and judges secular
throughout our realm.

Dyer, 214.
Bro. clerg. 24.
30.
Kelyng, 41, 42.
8 El. c. 4.
18. El. c. 7.

A clerk shall
be arraigned
of all his of-
fences at once.

CAP.

CAP. VI.

A bishop's temporalities shall not be seised for a contempt.

1 Ed. 3. Stat. 2.
C. 2.
14 Ed. 3. Stat.
4 C. 1.

**A bishop's
temporalities
shall not be
seized for a
contempt.**

ITEM, *Because the temporalities of archbishops and bishops have been oftentimes taken into the King's hands for contempts done to him upon writs of Quare non admitit, and likewise for divers other causes, whereof the said prelates have prayed the King, that no such taking shall from henceforth be made, such they be peers of the land;* (2) The King will and granteth in the same parliament, That all the justices which from henceforth shall give judgement against any prelate of the land in such case, or the like, that they in such case may freely receive, and from henceforth shall receive for the contempt so judged, a reasonable fine of the party so condemned, according to the quantity of the trespass, and after the quality of the contempt, incontinently at the time of the judgement, if the party offer the same, or otherwise after the judgement, at what time the party will offer himself; (3) and if it need, the chancellor and the treasurer the said fines.

ITEM pur ce que les temporaltees des erceueſques & eueſques ount eſte ſovent ſoitiz pris en la main le Roi pur contempt fait a lui ſur le brief Quare non admiffit & enſement par pluſures autres cauſes dount les ditz prelatz ount priez au Roi que nule tiele priſe ſe face deſore deſicome ils ſont pieres de la terre ſi voet le Roi & granten meſme ceſt dit parlement que touz les juſtices que rendront deſore les juggementz contre nul prelat de la terre en tieu cas ou ſemblable qils en tieu cas puſſent franchement recevoir & deſore reçoivent pur le contempt enſi ajugge ſyn reſonable de la partie enſy condempnee ſolonc la quantite du trespas & ſolonc la qualite du contempt maintenant au temps de juggement ſi la partie loffre ou autrement apres le juggement a quelle heure que la partie le voet offerir et ſil buſoigne le chancellor & treſorer ſoient a la receite de dit ſyn appellez.

CAP. VII.

The ordinary may countermand the King's title for a benefice fallen by lapse.

[illegible]

ITEM pur ce qe plusieurs
presentementz as diverses
benefices de seinte eglise sibien
de patronage de laiez gentz
comme de gentz de seinte eglise
questoient voides par ses mois
dour: les collations de tieux
benefices par laps de temps es-
toient deuolues & de droit ap-
partenantz a les ordinaries des
lieux estoient recourees par le
Roi

par jugement ent rendu
issent des ditz patrons en
t de les collations ensi faites
ablement par les ditz or-
ies en queux plees a eux
idre & contrepleder le droit
si ensi clamee les ordina-
ne lours clerks as queux
noient tieux benefices ne-
it receuz a monstrier ou
idre leur droit en celle
: la quele chose nestoit
resonable par quoi le Roi
ffent de son dit parlement
& grant pur lui & pur ses
que quant ercevesqe evesqe
itre ordinarie ad done un
fice de droit a lui devolut
aps de temps & apres le
presente & preigne la seute
s lun patron qi par cas
soefrir que le Roi recouvre
: action trie en deceit de
nair ou le possesseur des
benefices que en tieu cas &
utes autres cases sembla-
ou le droit le Roi nest pas
ercevesqe evesqe ordinar
possesseur soient receuz a
epler le tite pris pur le
& davoit son respons & a
trer & defendre son droit
matire tout soit il que il
cleime el patronage en
fedit.

*assent of the said patrons, in deceit
of the said collations so made rea-
sonably by the said ordinaries; in
which pleas the ordinaries nor their
clerks, to whom they did give such
benefices, were not received to shew
nor defend their right in this be-
half, nor to counterplead the King's
right so claimed, which is not rea-
sonable: Wherefore the King,
by the assent of the said parlia-
ment, will and granteth for him
and his heirs, That when arch-
bishops, bishops, or other or-
dinaries, have given a benefice
of right devolute to him by
lapse of time, and after the
King presenteth and taketh the
suit against the patron, which
percale will suffer that the King
shall recover without action
tried, in deceit of the ordinary,
or the possessor of the said be-
nefices, that in such case, and
all other cases like, where the
King's right is not tried, the
archbishop or bishop, ordinary
or possessor, shall be received
to counterplead the title taken
for the King, and to have his
answer, and to shew and defend
his right upon the matter, al-
though that he claim nothing
in the patronage in the case
afore said.*

1 Leonard, 45.
7 Co. 26.
Hob. 161. 378.
Savill, 108.
1 Mod. 279.

An ordinary
may counter-
plead the
King's title
for a benefice
fallen to him
by lapse.

13 Ed. 1. stat.
1. c. 5.
ant. cap. 3.
13 R. 2. stat. 1.
c. 1.
4 Hen. 4. c. 22.

C A P. VIII.

*issance of avoidance of benefices appertaineth to the
ecclesiastical judge.*

E M come les ditz prelatz
ent monstrez & priez re-
: sur ce que les justices se-
: accrochent a eux conif-
de voidance des bene-
de droit quelle conifiance
cussion attient a jugge de
eglise & nient a lai jugge
t le Roi & grante que les
justices defore receivent
chalenges faites ou affaire
recumques prelatz de seinte
eglise

ITEM, *Whereas the said pre-
lates have shewed and prayed
remedy, for that the secular ju-
stices do accroach to them cognifiance
of voidance of benefices of right,
which cognifiance and the discussing
thereof pertaineth to the judges of
holy church, and not to the lay-
judge; (2) the King will and
granteth, That the said justices
shall from henceforth receive
such challenges made or to be
made*

Cognifiance of
voidance of
benefices be-
longs to the
ecclesiastical
judge.

made by any prelate of holy church in this behalf, and moreover thereof shall do right and reason. eglise en celle partie & outre ent facent droit & reson.

CAP. IX.

Indictments of ordinaries for extortion shall be put in certainty.

Indictments of ordinaries, or their ministers for extortion must be put in certainty.

ITEM, *Because that the King's justices do take indictments of ordinaries, and of their ministers, of extortions and oppressions, and impeach them, without putting in certain, wherein or whereof, or in what manner they have done extortion;* (2) the King will, That his justices shall not from henceforth impeach the ordinaries, nor their ministers, because of such indictments of general extortions or oppressions, unless they say, and put in certain, in what thing, and of what, and in what manner the said ordinaries or their ministers have done extortions or oppressions.

ITEM pur ce que les justices le Roi parnent enditementz des ordinaries & de leurs ministres de extorsions & oppressions & les empeschent faunce qils mettent en certain en quoi ou de qi ou en quelle manere ils ount fait extortion si voet le Roi que les justices le Roi ne empeschent defore les ordinaries ne leur ministres par cause de tieux enditementz des generals extorsions ou oppressions sils ne mettent ou dient en certain en quelle chose & de qi & en quelle manere les ditz ordinaries ou leurs ministres ount fait extorsions ou oppressions.

Le Roi a touz ceuz as queux cestes lettres vendront saluz. Come en nostre darrein parlement tenuz a Westm' en la feste de seint Hiller darrein passe entre autres petitions & articles mises avant en meisme le parlement par lonurable pierre en Dieu Simon ercevesqe de Canterbirs pur lui & ses confrers evesques de sa province des certaines grevances queles ils diioient estre faites a seinte eglise encontre les privileges dycelle feust chalenge depar la dite clergie que quecumqes clerics convietz de ce que ils avoient fauxe ou contrefait nostre monoie ou nostre grant ou privee seals deussent enjoier privilege de seinte eglise & que leglise avoit este en possession de tieux. Nous pur cause que nous ne poons mie pur autres grosses busoignes entendre a la discussion de ce point voillantz auxibien sauver lestat de seinte eglise come le nostre volons & grantons que cest article soit mis en suspens tanque a nostre prochain parlement en le quel ce point purra plus pleinement estre discute & la verite ent trie et que si en le meen temps nul clerc soit conviet qil eit fauxe ou contrefait la monoie de la terre ou ascun de noz sealx avantditz qil ne soit pur le temps mis a la mort par agarde de jugge seculer mes remys a prison a y demorer en sauvegard launz nulle liverance faire al ordenair tanque autrement en soit ordene. En tesmoignance de quelle chose nous avoms fait faire cestes noz lettres patentes. Don' a Westm' le xx. jour de Feverer lan de nostre regne dEngleterre vintisme sisme & de France trefzisme.

Statute

Statute of cloths, made Anno 25 EDW. III. ſtat. 4.
and Anno Dom. 1350.

CAP. I.

The aulneger ſhall be ſworn to do his duty. The penalty if he offend.

ITEM, it is accorded and aſſented in the ſame parliament, That all manner of cloths vendible which ſhall be ſold for whole cloths in *England*, in whoſe hands of the merchants of the realm of *England*, or other of the ſame realm, they be found, ſhall be meaſured by the King's aulneger and his deputies in all cities, boroughs, and other towns within franchises and without, as well in the city of *London* as elſewhere. And that all the cloths which ſhall be found of leſs meaſure by a yard, than of the aſſize contained in the ſtatute of *Northampton*, by which it is ordained, That the length of every cloth of ray ſhall be meaſured by a line of ſeven yards, four times meaſured by the liſt. And the breadth of every cloth of ray, ſix quarters of the meaſure by the yard, and of coloured cloths the length ſhall be meaſured by the back by a line of ſix yards and a half, four times meaſured, and the breadth ſix quarters and a half meaſured by the yard, without deſoiling the cloths, ſhall be forfeited and arreſted to the King. And that the aulneger deliver the ſame to the King's wardrobe by indenture, notwithstanding any franchise, uſage, or privilege, made to the cities, boroughs, or to any perſon of the realm of *England* to the contrary. And the King's aulneger ſhall be ſworn to do his office well and lawfully. And in caſe he thereof be found in default, and thereof be attainted before the keepers of the fairs, and mayors, and bailiffs of the places, where the cloth ſhall be bought, or before any other judge whom our lord the King ſhall thereto aſſign, he ſhall have priſon of one year, and ransomed at the King's will, and put out of his office for ever. And the aulneger ſhall answer as well for his deputies as for himſelf. And alſo it is accorded and ſtabliſhed, That every buyer of ſuch cloth, or other that will ſue, that the ſaid aulneger hath done any fraud or deceit in his office, and the falſity be notoriously proved, at his ſuit ſhall have the one half of that which ſhall be ſo forfeited, or the price, of the King's gift, and the King the other half. And that every buyer of ſuch cloth, after that he hath agreed of the price with the ſeller, may freely meaſure the cloth at his will, to aſſay if it be of the aſſize or not, before that he hath paid his money, although the aulneger's ſeal be put to the ſame. And if the buyer find any default after the buying, and ſhew the ſame default to the mayors and bailiffs of the place, or to the keepers of the fair or market, and if default be found notoriously before them, the cloth ſhall be forfeit to the King, and ſeiſed into the King's hands, by the ſaid mayors and bailiffs, or keepers of the fairs or markets, and ſhall

All cloth vendible ſhall be meaſured by the King's aulneger, or his deputy.

The length and breadth of cloth of ray, and coloured cloth.

The aulneger ſhall be ſworn to do his office well.

A buyer may meaſure the cloth before he hath paid for it.

The forfeiture of defective cloth, and to what use it shall be employed.

2 Ed. 3. c. 14.
5 & 6 Ed. 6. c. 6.
8 Eliz. c. 12.
43 Eliz. c. 10.
4 Jac. 1. c. 2.
11 W. 3. c. 20.

shall remain in their custody. And the said mayors and bailiffs or keepers, shall certify the chancellor of the same forfeiture, at the suit of the buyer, or of other which will sue, without any thing taking of him. And the chancellor in this certificate shall send a writ to the said mayor and bailiffs or keepers, to deliver him which so hath sued, the one half of the forfeiture, and to save the other half to the King's use. And if the mayor, bailiffs, or keepers, refuse to do execution of this accord, in the manner aforesaid, they shall be punished by fine and ransom when they shall be thereof attainted, as well at the King's suit as the parties. And that this article begin to hold place the first day of September next coming, so that the merchants and other, which have cloths to sell, may freely deliver them of the cloths that they have in their hands in the mean time.

CAP. II.

Merchants strangers may buy and sell without disturbance.

9 Ed. 3. stat. 1.
9 H. 3. stat. 1.
c. 30.

ITEM, Whereas it is contained in a statute made at York the ninth year of the reign of our lord the King that now is, that all merchants, aliens and denizens, and all other, and every of them, of what estate or condition they were, which would buy or sell corn, wine, avoir de pois, flesh, fish, and all other livings and victual, cloths, chaffer, wools, merchandises, or any other things vendible, from what party they come, by foreigners or by denizens, to what place soever it be, borough, town, port of the sea, fair, market, or other place within this realm, within franchises or without, may freely and without disturbance sell the same to whom please them, as well to foreigners as to denizens, except the King's enemies: (2) it is accorded by our lord the King, the prelates, earls, barons, and other great men, and the commons in this present parliament, That the said statute, in all points and articles contained in the same, be holden, kept, and maintained. (3) And if that any statute, charter, letters patents, proclamation, or commandment, usage, allowance, or judgment be made

Merchants strangers may buy and sell within this realm without disturbance.

ITEM come contenu soit en un estatut fait a Everwyk lan du regne nostre dit seigneur le Roi noefisme qe touz marchantz aliens & denzeins & touz autres & chescun deux de quel estat ou condition qils soient qi achater ou vendre voillent bledz vins avoir du pois chars pessons & toutes autres vivres & vitailles leines draps merces marchandises & totes maneres dautres choses vendables de quelle part qils vieignent par foreins ou par denzeins a quel lieu qe ce soit soit il burgh ville port du meer faire marche ou autre lieu deinz meisme le roialme deinz franchise ou dehors les puissent franchement & sanz destourber vendre a qi qe lour plect auxibien as forcins come as denzeins forpris les enemys de nostre seigneur le Roi & de son roialme accorde est par nostre dit seigneur le Roi prelatz countes barons & touz autres grantz & communes en cest present parlement qe le dit estatut en touz pointz & articles conte-nuz en ycel soit tenu garde & maintenu. Et qe si nul estatut chartre lettre patente proclamation

ou mandement ufage
 ce ou jugement foit fait
 raire foit overttement re-
 nienty & tenu pur nul.
 e ce qe chefcun mar-
 u autre de quele con-
 qil foit auxibien alien
 enzein qi amene vins
 effon ou autre manere
 tailles draps peaux ou
 u pois ou quecomqes
 nerces ou marchandises
 e de Londres ou as au-
 itees burghs & bones
 Engleterre ou portz de
 s poet franchement &
 talange ou empesche-
 le nuli vendre en gros
 taill ou par parcelles a
 nte a queconqes gentz
 vodront achater nient
 teant quecumqe fran-
 rante ou custume use ou
 ique autre chose faite au
 redeficome qe tielx fran-
 & ufages font en com-
 prejudice du Roi & de
 poeple. Et qe nul mair
 catchepole miniftre ne
 itre se melle de la vente
 le manere des vitailles
 les menez ou portez as
 burghs ne autres villes
 e ne marche fors soule-
 xeli a qi les vitailles font
 proclamation ent foit
 e novel en touz les coun-
 ngleterre & en la citee
 idres & en touz autres
 burghs bones villes portz
 er & aillours deinz le
 e dEngleterre ou mestire
 e qe nostre dit feignur le
 e ce face assigner ses ju-
 otes les foitz qe lui pler-
 mester foit denquere de
 eux qi vendront ou riens
 alencontre & de les pu-
 onc la peine contenue en
 e lestatut fait lan noe-
 Et qe chefcun qi vorra
 fuir

made to the contrary, the same
 shall be openly repealed, void,
 and holden for none. (4) And
 moreover, that every merchant,
 or other, of what condition he
 be, as well alien as denizen,
 that bring wines, flesh, fish, or
 other victuals, cloths, woolfels,
avoir de pois, or any other man-
 ner of merchandises, or chaffer,
 to the city of *London*, or other
 cities, boroughs, and good
 towns of *England*, or ports of
 the sea, may fically, and with-
 out challenge or impeachment
 of any, sell in gros or at re-
 tail, or by parcels, at his will,
 to all manner of people that
 will buy the same, notwith-
 standing any franchises, grants,
 or custom used, or any other
 thing done to the contrary;
 fithence that such usages and
 franchises be to the common
 prejudice of the King and his
 people. (5) And that no mayor,
 bailiff, catchpole, minister, nor
 other, shall meddle with the
 sale of any manner of victual
 vendible, brought to cities, bo-
 roughs, or other towns, nor
 fair nor market, but only he
 to whom the victuals be; (6)
 and proclamation be thereof
 made of new in all counties of
England, and in the city of
London, and in all other cities,
 boroughs, good towns, ports
 of the sea, and other places
 within the realm of *England*,
 where need shall be; (7) and
 that the King thereupon cause
 to be assigned his justices at all
 times that shall please him, and
 if need be, to enquire of all
 those that shall offend against
 this ordinance, or do any thing
 against the same, and to pu-
 nish them according to the
 pain contained in the same sta-
 tute made in the said ninth

No officer shall
 meddle with
 the sale of a
 stranger's
 goods.

year,

2 R. 2. stat. 1.
c. 1.
11 R. 2. c. 7.
altered by
16 R. 2. c. 1.

year. (8) And that every person that will sue against any such, shall have a writ in the chancery to attach him by his body as a disturber of the common profit, to cause him to come thereof to make answer in the King's court.

l'uir devers nul tiel eit brief de la chancellerie de lui attacher par son corps come destourbeour de commune profit de lui faire ent venir a respons en la court le Roi.

CAP. III.

The penalty of him that doth forestal wares, merchandise, or victual.

The penalties of forestallers of wares, merchandises, wine, or victuals.

ITEM it is accorded and established, That the forestallers of wines, and all other victuals, wares, and merchandises that come to the good towns of *England* by land or by water, in damage of our lord the King and of his people, if they be thereof attainted at the suit of the King, or of the party, before mayor, bailiff, or justices thereto assigned, or elsewhere in the King's court; and if they be attainted at the King's suit by indictment, or in other manner, the things forestalled shall be forfeited to the King, if the buyer thereof hath made gree to the seller: (2) and if he have not made gree of all, but by earnest, the buyer shall incur the forfeiture of as much as the forestalled goods forfeited do amount to, after the value as he bought them, if he have whereof; (3) and if he have not whereof, then he shall have two years imprisonment, and more, at the King's will, without being let to mainprise, or delivered in other manner. (4) And if he be attainted at the suit of the party, the party shall have the one half of such things forestalled and forfeit, or the price, of the King's gift, and the King the other half.

A Corde est auxint & establi qe les forstallours des vins & des autres vitailles & de toutes autres merces & marchandises qe viegnont a les bones villes par terre ou par eawe en damage de nostre seignur le Roi & de son poeple si de ceo soient atteintz a la suite le Roi ou de partie devant mair baillifs ou justices a es assignes ou aillours en la court le Roi & fil soit atteint a la suite le Roi par enditement ou en autre manere soient les choses forstalles forfaitz au Roi si lachatour ent eit fait gree au vendour & fil neit fait gree de tut mes par arres encourge lachatour la forfaiture de tant come les biens forstalles amountent selonc la value qil les avera achate fil eit de quoi & fil neit adonques eit la prison de deux annz & plus a la volunte le Roi sanz estre lessé a mainprise ou delivres en autre manere. Et fil soit atteint a suite de partie eit la partie la moite de tielx choses forstalles & forfaitz ou la pris du doun le Roi & le Roi lautre moite.

2 R. 2. stat. 1.
c. 2.
5 & 6 Ed. 6.
c. 14.

CAP. IV.

New wears shall be pulled down, and not repaired.

EM pur ce qe comunnes
aflages de neefs & baatelx
s grantz rivers dEngleterre
nt sovent foitz destourbez
le lever de gortz molins
ks estackes & kideux en
t damage du poeple acorde
establi qe touz tiels gortz
ns estanks estackes & ki-
qe sont leves & mys en
s le Roi lael & puis encea
ielx rivers par queux les
& batelx sont destourbes
ne poent passer come ils
ent soient oustes & nette-
abatuz sanz estre relevez
ient sur ce briefs mandez
scontz de lieux ou mester
de surveer & denquere &
ire ent execution & auxint
ffices soient sur ce assignez
tes les foitz qil besoig-

ITEM, *Whereas the common* New wears shall be pulled down and not repaired.
passage of boats and ships in the great rivers of England be oftentimes annoyed by the inhabiting of gorges, mills, wears, stanks, stakes, and kiddles, in great damage of the people; (2) it is accorded and established, That all such gorges, mills, wears, stanks, stakes, and kiddles, which be levied and set up in the time of King EDWARD the King's grandfather, and after, whereby the said ships and boats be disturbed, that they cannot pass in such river as they were wont, shall be out and utterly pulled down, without being renewed; (3) and thereupon writs shall be sent to the sheriffs of the places where need shall be, to survey and inquire, and to do thereof execution; and also the justices shall be thereupon assigned at all times that shall be needful.

45 Ed. 3. c. 2.
1 H. 4. c. 12.
9 H. 6. c. 9.
12 E. 4. c. 7.

tatute of purveyors, made Anno 25 EDW. III.
stat. 5. and Anno Dom. 1350.

U parlement somonz a
Westm' en la feste de
e Hiller' lan du regne no-
seignur le Roi EDWARD
leterre vintisme quint &
rance douzisme nostre
ur le Roi del assent des
tz ducs countes barons &
out la comunalte de son
ne dEngleterre au dit par-
nt somons al honur de
& de seinte eglise & en
dement de son dit roialme
deine & establi les choses
escriptes.

AT the parliament summoned
at Westminster in the feast
of St. Hilary, the year of the
reign of our lord King EDWARD
the Third after the conquest of
England the five and twentieth,
and of France the twelfth; our
said lord the King, by the assent
of the prelates, earls, barons, and
of all the commonalty of his realm
of England summoned to the par-
liament, to the honour of God and
holy church, and in amendment of
his said realm, hath ordained and
established the things underwrit-
ten.

L. II.

E

CAP.

CAP. I.

By what measures the King's purveyors shall take corn. Things purveyed shall be praised, and tallies made thereof.

Ex. ed. Pulton.

FIRST forasmuch as great and outrageous damage and grievance hath been done to the people by the takers or purveyors of victuals, for the houses of our lord the King, the Queen, and their children: it is accorded and assented in the said parliament, That the takers of corn for the said houses, shall take the same by measure striked according as is used throughout the land. And that such corn, hay, litter, bestail, and all other victuals and things, which shall be taken for the said houses, shall be praised at the very value, by the constable and other good people of the towns where such taking shall be made, without that that the praisers by menace or duresis shall be driven to set any other price then their oath will, and as commonly runneth in the next markets. And that betwixt the purveyors and them whose goods shall be taken in the presence of the constables and praisers, tallies be made incontinently, without that that the people whose goods shall be taken, shall be drawn or travelled elsewhere, and the same tallies sealed with the seals of the takers of the things so taken, by which tallies gree shall be made to them whose goods shall be so taken. And if any purveyor or taker for the said houses, do in any other manner, he shall be presently arrested by the town where the taking shall be made, and brought to the next goal: and if he be thereof attainted, it shall be done of him as of a thief, if the quantity of the goods the same require, according as in a statute made in the time of our lord the King that now is, the fifth year of his reign, and in another made in the time of the King's grandfather upon such taking, is contained at the full. And that from henceforth in the commissions of such takers and purveyors, the intent and pain limited, in this statute shall be contained. And that no commission be made, but only under the King's great seal or privy seal. Nor no man be bound to obey any such commissions, in other manner than is afore said. And that the same statute take place in all points against every taker and purveyor of every manner of victual in every part of the realm, of what condition soever he be.

Corn shall be taken by measure striken.

23 H. 6. c. 1. Things taken for the King's house shall be praised at the very value.

Tallies shall be made between the purveyor and the owner of the goods taken.

5 Ed. 1. c. 2.
34 Ed. 1. c. 2.
2 & 3 Ph. & Mar. c. 6.
12 Car. 2. c. 24.
The purveyors commissions shall be under the great or privy seal.

CAP. II.

A declaration which offences shall be adjudged treason.

A declaration what offences are to be judged treasons high and petit. Cro. Car. 117. — 125. 338. 1 Hales' hist. Pl. Cr. c. 12. &c.

ITEM, Whereas divers opinions have been before this time in what case treason shall be said, and in what not; (2) the King, at the request of the lords and of the commons, hath made a declaration in the manner as hereafter followeth; that is to say,

AUxint pur ceo qe diverses opinions ount este einz ces heures qen cas quant il a vient doit estre dit trefon & en quel cas noun le Roi a la requeste des seignurs & de la communalte ad fait declariffement, qe ensuit cest assavoir quant

un homme fait compasser
imaginer la mort nostre
le Roi madame sa com-
ou de leur fitz primer
ou si homme violast la
saigne le Roi ou leisnesce
Roi nient marie ou la
saigne leisne fitz & heir du
si homme leve de guerre
nostre dit seigneur le Roi
roialme ou soit aherdant
mys nostre seigneur le Roi
oialme donant a eux eid
mort en son roialme ou
lours & de ceo provable-
oit atteint de overt faite
entz de leur condition.
un homme contreface les
ou prive sealx le Roi ou
noie & si homme apport
nonoie en ceste roialme
faite a la monoie d'En-
e sicome la monoie ap-
Lucynburgh ou autre
ble a la dite monoie
terre sachant la monoie
aus pur marchander ou
ent faire en deceit nostre
seigneur le Roi & son poeple
un homme tuast chancelier
ou justice nostre seigneur
del un baunk ou del au-
dice en eir & des assises
es autres justices assig-
nier & terminer esteiantz
es places en fesantz lours

Et fait a entendre gen-
es suisnommez doit estre
treson qe sestent a nostre
le Roi & a sa roial ma-
de tiele manere de tre-
forfaiture des eschetes
ent a nostre seigneur le
sien des terres & tene-
tenuz des autres come
neismes. Et ovesqe ceo
autre manere de treson
lavor quant un servant
meistre une femme qe
a baron quant homme
ou de religion tue son
prelat

say, When a man doth compass
or imagine the death of our lord
the King, or of our Lady his
Queen, or of their eldest son
and heir; (3) or if a man do
violate the King's companion,
or the King's eldest daughter
unmarried, or the wife the
King's eldest son and heir; (4)
or if a man do levy war against
our lord the King in his realm,
or be adherent to the King's
enemies in his realm, giving to
them aid and comfort in the
realm, or elsewhere, and there-
of be provably attainted of
open deed by the people of
their condition. (5) And if a
man counterfeit the King's
great or privy seal, or his mon-
ney; (6) and if a man bring
false money into this realm,
counterfeit to the money of
England, as the money called
Lusbburgh, or other like to the
said money of *England*, know-
ing the money to be false, to
merchandise or make payment
in deceit of our said lord the
King and of his people; (7)
and if a man slay the chancel-
lor, treasurer, or the King's
justices of the one bench or the
other, justices in eyre, or ju-
stices of assise, and all other
justices assigned to hear and de-
termine, being in their places,
doing their offices. (8) And
it is to be understood, that in
the cases above rehearsed, that
ought to be judged treason
which extends to our lord the
King, and his royal majesty:

(9) and of such treason the for-
feiture of the escheats pertain-
eth to our sovereign lord, as
well of the lands and tenements
holden of other, as of himself.

(10) And moreover there is
another manner of treason, that
is to say, When a servant slay-

Kelyng. 20.
Hawk. Pl.
Cr. c. 17.

The King shall
have the for-
feiture of all
the offenders
lands in high
treason.

Petit treason.

New questions
of treasons
shall first be
decided in
parliament.

Try. of earl
Straff. 679.

eth his master, or a wife her husband, or when a man secular or religious slayeth his prelate, to whom he oweth faith and obedience; (11) and of such treason the escheats ought to pertain to every lord of his own fee. (12) And because that many other like cases of treason may happen in time to come, which a man cannot think nor declare at this present time; it is accorded, That if any other case, supposed treason, which is not above specified, doth happen before any justices, the justices shall tarry without any going to judgement of the treason, till the cause be shewed and declared before the King and his parliament, whether it ought to be judged treason or other felony. (13) And if per case any man of this realm ride armed covertly or secretly with men of arms against any other, to slay him, or rob him, or take him, or retain him till he hath made fine or ransom for to have his deliverance, it is not the mind of the King nor his council, that in such case it shall be judged treason, but shall be judged felony or trespass, according to the laws of the land of old time used, and according as the case requireth. (14) And if in such case, or other like, before this time any justices have judged treason, and for this cause the lands and tenements have comen into the King's hands as forfeit, the chief lords of the fee shall have the escheats of the tenements holden of them, whether that the same tenements be in the King's hands, or in others, by gift or in other manner; (15) saving always to our lord the King the year, and the

prelat a qi il doit foi & obedience & tiele manere de trefon donn forfaiture des eschetes a cheſcun ſeignur de ſon fee propre. Et pur ceo qe pluſurs autres caſes de ſemblable trefon purront eſcheer en temps a venir queux homme ne purra penſer ne declarer en preſent aſſentu eſt qe ſi autre caſ ſuppoſee trefon qe neſt eſpecifie paramount aviegne de novel devant aſcunes juſtices demoerge la juſtice faunz aler au jugement de trefon tanqe par devant noſtre ſeignur le Roi en ſon parlement ſoit le caſ monſtree & deſclarre le quel ceo doit eſtre ajugge trefon ou autre felonie. Et ſi par caſ aſcun homme de ceſt roialme chivache arme deſcovert ou ſecrement od gentz armees contre aſcun autre pur lui tuer ou derober ou pur lui prendre & retenir tanqil face ſyn ou raunceon pur ſa deliverance avoir neſt pas lentent du Roi & de ſon conſeil qe en tiel caſ ſoit ajugge trefon einz ſoit ajugge felonie ou trespas ſolonc la lei de la terre auncienement uſee & ſolonc ceo qe le caſ demand. Et ſi en tieu caſ ou autre ſemblable devant ces heures aſcune juſtice eit ajugge trefon & par celle cauſe les terres & tenemenz ſoient devenuz en la main noſtre ſeignur le Roi come forfaitz eient les chiefs ſeignurs de fee lours eſchetes des tenemenz de eux tenuz le quel qe les tenemenz ſoient en la main noſtre ſeignur le Roi ou en la main des autres par donn ou en autre manere ſauvant toteſoit a noſtre ſeignur le Roi lan & le waſt & autres forfaitures des chateux qe a lui attenant en les caſes ſuiſnomez & qe briefs de ſcire facias vers les terres

nantz soient grantez en
faunz autre originale
allower la protection
ignur le Roi en la dite
que de les terres que sont
ain le Roi soit grante
viscontes des countees
terres ferront de ostier
le Roi faunz outre de-

the waste, and the forfeitures
of chattels, which pertain to
him in the cases above nam-
ed; (16) and that the writs of
scire facias be granted in such
case against the land-tenants
without other original, and
without allowing any protec-
tion in the said suit; (17) and
that of the lands which be in
the King's hands, writs be

1 H. 4. c. 10.
1 Ed. 6. c. 12.
1 Ma. H. 1. c. 1.
13 Car. 2. Stat. 1.
c. 1.

to the sheriffs of the counties where the lands be, to
hem out of the King's hands without delay.

CAP. III.

*Indictor shall be put upon the inquest of the party in-
dicted.*

int acorde est que nul
aditour soit mys en en-
la deliverance del en-
trespas ou de felonie
halange par tiele cause
i quest endite.

ITEM, it is accorded, That no indictor shall be put in inquests upon deliverance of the inditees of felonies or trespasss, if he be challenged for that same cause by him which is so indicted.

Bro. Chall. 48,
101, 120, 142,
166.

CAP. IV.

*ball be condemned upon suggestion without lawful
presentment.*

ceco come contenu
t en la grant chartre
chifis d'Engleterre que
pris ne emprisonne ne
son frank tenement ne
franchises ne de ses
custumes fil ne soit
de la terre acorde est
& establi que nul desore
par petition ou sugges-
t a nostre seigneur le
a son conseil fil ne soit
litement ou presente-
es bones & loialx du
ou tiele fait se face &
manere ou proces fait
f original a la comune
e nul soit ouste de ses
es ne de son frank te-
fil ne soit mesne due-
n. respons & forjugge
par voie de lei & si rien
soit

ITEM, Whereas it is con- tained in the great charter of the franchises of England, that none shall be imprisoned nor put out of his freehold, nor of his franchises nor free custom, unless it be by the law of the land; (2) it is accorded, assented, and stablished, That from henceforth none shall be taken by petition or suggestion made to our lord the King, or to his council, unless it be by indictment or presentment of good and lawful people of the same neighbourhood where such deeds be done, in due manner, or by process made by writ original at the common law; (3) nor that none be out of his franchises, nor of his freeholds, unless he

9 H. 3. Stat. 1.
c. 29.

None shall be
condemned
by suggestion
without law-
ful present-
ment.

5 Ed. 3. c. 9.
28 Ed. 3. c. 3.
42 Ed. 3. c. 3.
36 Car. 1. c. 10.

be duly brought into answer, soit fait al encontre soit rev
and forejudged of the same by dresse & tenue pur nul.
the course of the law; (4)
and if any thing be done against the same, it shall be redres-
sed and holden for none.

CAP. V.

*Executors of executors shall have the benefit and charge of
the first testator.*

Executors of
executors shall
answer and be
answered.

ITEM, it is accorded and established, That executors of executors shall have actions of debts, accompts, and of goods carried away of the first testators, (2) and execution of statutes merchants and recognisances made in court of record to the first testator, in the same manner as the first testator should have had if he were in life, as well of actions of the time past, as of the time to come, in all cases where judgement is not yet given betwixt such executors; (3) but that the judgements given to the contrary to this article in times past shall stand in their force; (4) and that the same executors of executors shall answer to other of as much as they have recovered of the goods of the first testators, as the first executors should do if they were in full life.

Plowd. 286,
2 Mod. 293.
13 Ed. 1. stat. 1.
c. 23.
4 & 5 W. & M.
c. 24.

ENsement acorde est & establi qe executors des executors eient action des dettes accomptes & des biens empor-
tez du primer testatour & execution des estatutz marchantz & reconnaissances faites en court de record au primer testatour en meisme la manere come le primer testatour averoit fil feust en vie auxibien dactions de temps passe come de temps avenir en toutz cases ou jugementz ne sont pas renduz unquore entre tieux executours des executours mes qe les jugementz a contraire en temps passe estoient en lour force et qe meismes les executours des executours respoignent a autres de tant come ils averont recoveri des biens du primer testatour sicome les primers executours ferroient s'ils feussent en pleine vie.

CAP. VI.

*A purveyor shall not take timber in or about any person's
house.*

Ex edit. Pult.
No timber
shall be taken
about a man's
house.
9 H. 3. stat. 1.
c. 21.
14 Ed. 3. stat. 1.
c. 19.

ITEM, it is accorded and established, that no taker of wood nor of timber to the King's use for work, nor for to make other thing, shall cut or fell down the trees of any man growing about or within his house. And if any do to the contrary, he shall make gree to the party of his treble damage and shall be one year in prison, and be forejudged of his office.

CAP. VII.

*Keepers of a forest or chase shall gather nothing without the
owner's good will.*

Moreover it is accorded and established, that no
fo-

EStre ceo est acorde & establi qe nul forester ne gaderin

es forestes ou des chaces
autre ministre ne face
le puture ne null autre
des vitailles ne de nul
hose par colour de son
contre nully volunte
lour baillie ne dehors
ce qest due dauncien

forester nor keeper of forest or
chase, nor any other minister,
shall make or gather suste-
nance, nor other gathering of
viſtuals, nor other thing, by
colour of their office, against
any man's will, within their
bailiwick nor without, but
that which is due of old right.

A forester
shall gather
nothing but
that which is
due.
Charta de fo-
resta, c.7.

CAP. VIII.

*ball be bound to find men of arms, but by tenure, or
grant by parliament.*

xint acorde est & assentu
e nul homme soit arête
er gentz darmes hobel-
chers autres qe ceux qe
t par tiële service fil ne
commune assent & grant
parlement.

ITEM, it is accorded and
assented, that no man shall
be constrained to find men of
arms, hoblors, nor archers,
other than those which hold by
such services, if it be not by
common assent and grant made
in parliament.

Finding of
men of arms.
1 Ed.3.stat.2.
c.5.
18 Ed.3.c.7.
4 H.4.c.13.
13 Car.2.stat.
1. c.6.

CAP. IX.

*weight shall be put out, and weigbing shall be by e-
qual balance.*

ement pur ce qe tres
tant damage & desceit
au poeple par tant qe
s marchantz usent da-
& poiser leines & au-
rchandises par une pois
pelle aunfell' acorde est
li qe celle pois appelle
entre achatour et ven-
oit del tout oste & qe
a vend & achat par ba-
iffint qe les balances soi-
els & les leines & autres
ndises owelment poisez
oit pois et qe le sak de
e poise qe vint & sys
& chescun pere poise
ze livres & qe lestater de
nce ne encline ne a lune
re al autre & qe le pois
ordant al estandard del
r. Et si nul achatour
encontre soit grevouſe-
uny fibien a la seute de
par

ITEM, Whereas great da-
mage and deceit done to the
people, for that divers merchants
use to buy and weigh wools and
other merchandises, by a weight
which is called auncel; it is ac-
corded and establiſhed, That
this weight called auncel be-
twixt buyers and sellers, shall
be wholly put out; (2) and
that every person do sell and
buy by the balance, so that
the balance be even, and the
wools and other merchandizes
evenly weighed by right weight,
so that the sack of wool weigh
no more but xxvi. stones, and
every stone to weigh xiv. l. and
that the beam of the balance
do not bow more to the one
part than to the other; (3)
and that the weight be accord-
ing to the standard of the ex-
chequer. (4) And if any buy-

34 Ed. 3. c. 5.

Auncel
weight shall
be put out.

27 Ed.3.c.10.
Buying and
selling shall be
by equal mea-
sure.

8 H. 6. c. 5.
21 H. 7. c. 4.

er do the contrary, he ſhall be grievouſly puniſhed, as well at the ſuit of the party, as at the ſuit of our lord the King.

partie come a la ſeute noſtre ſeignur le Roi.

CAP. X.

Every meaſure ſhall be according to the King's ſtandard; and ſhall be ſtriked without heap; ſaving the rents of lords.

9 H. 3. ſtat. 1.
c. 25.

Every mea-
ſure ſhall be
according to
the King's
ſtandard.

ITEM, *Whereas it is contain- ed in the great charter, that one meaſure ſhall be throughout England, which charter hath not been well kept and holden in this point in times paſt; (2) it is accorded and aſſented, That all the meaſures, that is to ſay, buſhels, half-buſhels, peck, gallon, pottle, and quart, throughout England, within franchiſes and without, ſhall be according to the King's ſtandard; (3) and the quarter ſhall contain eight buſhels by the ſtandard, and no more. (4) And every meaſure of corn ſhall be ſtriken without heap, ſaving the rents and fermes of lords, which ſhall be meaſured by ſuch meaſures as they were wont in times paſt. (5) And the purveyors of the King, of the Queen, and all other, ſhall make their purveyances by the ſame meaſure ſtriked in the ſame manner, and at all times that ſhall be needful. (6) And our lord the King ſhall aſſign certain juſtices in every county to enquire, hear, and determine upon the points aforeſaid, and upon the ſame to do puniſhment according to the treſpaſs, as well at the party's ſuit, as at the King's; (7) ſo always, that all manner of franchiſes be ſaved to the lords in all points without blemiſh to be made in any man- ner.*

Juſtices
ſhall enquire
of and puniſh
the offenders.

34 Ed. 3. c. 6.

A Úxint come contenue ſoit en la grande chartre qe une meſure ſoit uſee parmy tout Engleterre la quele chartre nad mie eſte tenu bien en ceo point avant ces heures ſi eſt acorde & aſſentu qe touz les meſures ceſt aſavoir buſſel dimid' buſſel & peck galon pottel & quart par toute Engleterre deinz franchiſe & dehors ſoient acordauntz al eſtandard noſtre ſeignur le Roi & contiegne le quartre oet buſſelx par leſtandard & nient pluis. Et ſoit cheſcune meſure de blee raſe ſanz comble ſauvez les rentes & fermes des ſeignurs queles ſoient meſures par tiele meſures come eles ſoleient avant ces heures. Et fa- cent les purveours le Roi ma- dame la Roigne & touz autres lours purveances par meiſmes les meſures raſes & en meiſme la manere Et a toutes les ſoitz qe meſtier ſerra noſtre ſeignur le Roi aſſignera certaines juſti- ces en cheſcune countee den- queer & doier & terminer ſur les pointz ſuſditz & de faire ſur ce due puniſſement ſolon cheſ- cun treſpas ſibien a la ſeute de partiſ come a la ſeute le Roi. Iſſint totés ſoitz qe toutes ma- neres des franchiſes ſoient ſau- vez as ſeignurs en toutz pointz ſaunz nul emblemement ent faire en quecumqe manere.

CAP. XI.

to make the King's son knight, or to marry his daughter.

M, it is assented, That reasonable aid to make the King's Ex.edit. Pult. left son knight, and to marry his eldest daughter, shall What shall be nanded and levied after the form of the statute thereof paid to the King for rea- and not in other manner, that is to say, of every knight's sonable aid. 12 Car. 2. c. 24. lden of the King without mean, twenty shillings and no and of every xx. l. of land holden of the King without in socage xx. shillings and no more.

CAP. XII.

no person shall take profit by exchange of gold or silver.

ement acorde est & establi qe bien life a chescun ne de chaunger or pur t ou pur or ou argent rgent ou pur or issint qe comme tiegne commune unge ne rien preigne de pur tiel eschaunge faire eine de forfaiture de la ie issint chaungee for- les chaungeours le Roi eux preignent profit pur eschaunge solonc lordi- avant faite.

ITEM, it is accorded, That The value, &c. to be declared by proclamation. 5 & 6 E. 6. c. 19. it shall be lawful for every man to exchange gold for silver, or silver for gold, or for gold and silver, so that no man hold a common exchange, nor take no profit for making such exchange, upon pain of forfeiture of the money so exchanged; except the King's exchangers, which take profit of such exchange, according to the ordinance afore made. 3 H. 7. c. 6.

CAP. XIII.

money of gold or silver now current shall not be impaired.

uxint acorde est & establi qe la monoie dor & dargore coert ne soit mie emen pois nen alai mes au toft qe homme pusse tro- one voie qele soit mys en ien estat come en ester-

ITEM, it is accorded, That Money shall not be impaired in weight or allay. 2 Inst. 577. 1 Hales, hist. Pl. Cr. 193, 194. the money of gold and silver which now runneth, shall not be impaired in weight nor in allay; but as soon as a good way may be found, the same be put in the ancient state as in the sterling.

CAP. XIV.

process shall be awarded against him that is indicted of felony.

auxint est acorde & assentu qe apres ceo qe homme soit endite de le devant justices en lour as doier & terminer soit nde au viscont dattacher orps par brief qu precept qest

ITEM, it is accorded, That What process shall be awarded against him that is indicted of felony. after any man be indicted of felony before the justices in their sessions to hear and determine, it shall be commanded to the sheriff to attach his body by writ or by precept, which

which is called a *Capias*. (2) And if the ſheriff return in the ſame writ or precept, that the body is not found, another writ or precept of *capias* ſhall be incontinently made, returnable at three weeks after. (3) And in the ſame writ or precept it ſhall be comprifed, that the ſheriff ſhall cauſe to be ſeiſed his chattels, and ſafely to keep them till the day of the writ or precept returned. (4) And if the ſheriff return, that the body is not found, and the indiſſee cometh not, the exigend ſhall be awarded, and the chattels ſhall be forfeit, as the law of the crown ordaineth; (5) but if he come and yield himſelf, or be taken by the ſheriff, or by other miniſter before the return of the ſecond *Capias*, then the goods and chattels ſhall be ſaved.

queſt appelle *Capias* & le viſcount retourn en le dit brief ou precept qe le corps ne ſoit mie trovee maintenant ſoit autre brief ou precept de *capias* fait retournable as trois ſymeignes apres. Et en meſme le brief ou precept ſoit compris qe le viſcount face ſeiſir les chateaux & les ſauvement garder tanqe a jour de brief ou precept retournable. Et ſi le viſcount reſpoigne qe le corps neſt pas trovee ne lendite vient point ſoit lexicgend agarde & ſoient les chateaux forfeitz ſicome la lei de la corone demand mes ſil viegne & ſe rend ou ſoit pris par viſcount ou par autre miniſtre devant le retourne del ſecunde *capias* adonques ſoient les biens & les chateaux ſauvez.

CAP. XV.

The penalty of a purveyor taking more ſheep than be needful.

Ex edit. Pult.
The penalty
of a purveyor
that taketh
more ſheep
for the King's
houſe before
ſhear time
than be need-
ful.

12 Car. 2. c. 24.
13 Car. ſtat. 1.
c. 8.

ITEM, forasmuch as the takers and buyers of the king's priſes, do take ſheep from people betwixt *Eaſter* and the feaſt of ſaint *John Baptiſt*, with their wools, and cauſe the ſame to be praiſed at a ſmall price, and after ſend them to their own houſes, and cauſe them to be ſhorn to their own profit, in deceit of the King, and great oppreſſion of the people: it is accorded, that no ſuch taker, purveyor, nor buyer, ſhall take any ſheep before the time of the ſhearing, but as many as may reaſonably ſuffice till the time of ſhearing. And after that time they ſhall take as many ſheep ſhorn, and not other, that may reaſonably ſuffice them for the time to come. And if any taker, purveyor, or buyer of the realm, do againſt the ſame, and be thereof attainted at the ſuit of the King, or of the party, it ſhall be done to him as a thief or a robber. And the pain ſhall be contained in every commiſſion of ſuch purveyors,

CAP. XVI.

The exception of nontenure of parcel ſhall not abate the whole writ.

ITEM, it is accorded, That by the exception of nontenure of parcel no writ ſhall be

A Uxint acorde eſt & aſſent tu qe par exception de nountenure de parcell null brief

soit abatu forsqe pur la be abated, but for quantity of
ite de la nountenure qest the nountenure which is al-
ledged.

CAP. XVII.

Is of exigent shall be awarded in debt, detinue, and replevin.

Issement acorde est & assentue qe autiele proces ait en brief de dette des chateux & en prises vers par brief de Capias & proces d'exigend par re- de viscount sicome est in brief dacompt.

ITEM, it is accorded, That Proces in such proces shall be made in a writ of debt and detinue of chattels and taking of beasts, by writ of *Capias*, and by proces of exigend by the sheriff's return, as is used in a writ of accompt.

debt and detinue.
² Leon. 85.
Regist. 81. &c.
² Bulstr. 63.
¹ Salk. 18.
Rast. 149.

CAP. XVIII.

sage may be pleaded, and a villein seised, though a Libertate probanda be depending.

TRE ceo acorde est & assentue qe nient contree: adjournement faite en par brief de Libertate probanda purchacee en favour des pur delaier les seignours ours actions devers tieux soient les seignours receux ger exceptions de ville- contre leurs vileins en briefs le quel qe les ditz de Libertate probanda t purchacez par deceit ou tre manere et qe les seignours pussent seisir les corps de vileins auxibien come ils oient devant qe tieux briefs libertate probanda feurent iez & purchacez.

ITEM, it is ordained and assented, that notwithstanding adjournment made in eyre, by writ of *Libertate probanda*, purchased in favour of villeins to delay their lords of their actions of such villeins, the same lords shall be received to alledge the exception of villenage against their villeins in all writs, whether that the said writs of *Libertate probanda* were purchased by deceit or in other manner, (2) and that the lords may seise the bodies of their villeins, as well as they might before that the writs of *Libertate probanda* were ordained or purchased.

Villenage may be pleaded, and a villein seised, though a Libertate probanda do depend.
¹² Car. 2. c. 24.

CAP. XIX.

be King's protection the parties suit shall not be hindred, but his execution.

Uxint come nostre seignur le Roi eit avant ces heu- ait protections as diverses z qe lui estoient tenuz en a manere des dettes qils ne nt mie empledez des det- ueles ils devient as autres : ils eussent fait gre a no- seignur le Roi de ceo qe stoit due par eux par re- soun

ITEM, Forasmuch as our lord the King hath made before this time, protections to divers people, which were bounden to him in some manner of debt, that they should not be impleaded of the debts which they owed to other, till they had made gree to our lord the King of that which to him was due by them,

By the King's protection the parties suit shall not be hindered, but his execution.

them, by reason of his prerogative; and so during such protections no man hath used, nor durst implead such debtors; (2) it is accorded and assented, That notwithstanding such protections, the parties which have actions against their debtors, shall be answered in the King's court by their debtor; (3) and if judgement be thereupon given for the plaintiff or demandant, the execution of the same judgement shall be put in suspence till gree be made to the King of his debt. (4) And if the creditors will undertake for the King's debt, they shall be thereunto received, and shall have execution against the debtors of the debt due and adjudged to them, and also shall recover against them as much as they shall pay to the King for them.

20.Lit. 131.b.
10b. 115.
20. Jac. 477.
The creditors
undertaking
or the King's
debt.

soun de sa prerogative & ifint durantes tieles protections nul homme ad este oseẽ dempler tieux dettours acorde est & assentue qe nient contreesteant tieles protections les parties qount actions a lours dettours soient responduz en la court le Roi par lours dettours & si juggement soit sur ceo rendu pur le pleintif ou demandant soit lexeuction de cel juggement mys en suspens tanqe gre soit fait au Roi de sa dette. Et si les creansours voillent emprendre pur la dette le Roi soient ils a ceo receuz & outre eient execution devers lours dettours de dette a eux due & auxint recoverent devers eux tant come ils paieront pur eux au Roi.

CAP. XX.

Plate of gold and silver shall be received into the King's mint by weight, and not by number; and so shall the money be returned.

ITEM, it is accorded and assented, That the moneyors, and other wardens and ministers of the money shall receive plate of gold and silver by the weight; and in the same manner shall deliver the money when it shall be made by weight, and not by number, without any tarrying.

ENsemeht acorde est & assentue qe les moneours & autres gardeins & ministres de la monoie reçoivent plat dor & dargent par pois & en meisme la manere deliverent les monoies quant eles serront faits par pois & nemic par nombre saunz nully targer.

CAP. XXI.

The king's butlers shall purvey no more wine than shall be appointed.

ITEM, Whereas before this time the King's butlers and their deputies were wont to take, and daily do take, much more wine, by colour of their office, to the King's use, than they shall need, whereas the worst they deliver to the

ESTRE ce come avant ces heures les botillers nostre seigneur le Roi & lours deputees soleient prendre & parnent de jour en autre moult plus des vynes par colour de leur office, al oepz nostre seigneur

le Roi qil ne bofoigneroit
 queux les plus fiebles ils
 erent al oeps nostre feig-
 le Roi & les meillours
 rant nombre ils rétie-
 : devers eux a vendre &
 re ent lour profit & a la
 ils releffent as marchantz
 ils ont pris de eux pur
 & dounes qils preignent
 neiffmes les marchantz
 extorfion en grant da-
 & empoveriffement des
 marchantz fi eft acorde
 tabli qe le fenefchal del
 le Roi & le tresorer de
 derobe mandent as touz
 portz dEngleterre la ou
 font a prendre al oeps
 il le certain nombre qe le
 er prendra en chefcun
 fi qe rien soit pris outre
 ombre & qe meir & bail-
 des ditz portz certiffent
 litz fenefchal & tresorer
 ombre des toneux iffint
 par le botiller ou ses
 nantz souz les seals des
 meir & baillifs & par en-
 re faite entre eux & les
 ours des ditz vines. Et
 is qil soit trove qe le bo-
 ou ses lieu tenantz preit
 plus ou preignent lower
 nully ou delai nully par
 ir de son office come par
 face gre de double a la
 e & soit ouste de son of-
 & eit la prison & soit reint
 volunte le Roi & le Roi
 vera ses justices quant lui
 a denquere sur cestes cho-
 : respoigne le botiller si-
 pur ses deputees come pur
 neiffmes la ou ils ne font
 fufficeantz.

*the King's use, and the best in
 great number they retain to them-
 selves, to sell and make thereof
 their profit; and sometime they
 release to merchants that which
 they have taken of them, for fines
 and gifts, which they take of the
 same merchants by extortion, to
 the great damage and impoverish-
 ment of the said merchant; (2)*
 it is accorded, That the
 steward of the King's house,
 and the treasurer of the ward-
 robe, shall send to all the ports
 of England, where wines be to
 be taken to the King's use, the
 certain number which the but-
 ler shall take in every port, so
 that nothing be taken over
 this number; (3) and that the
 mayor and bailiffs of the said
 ports certify the said steward
 and treasurer of the number
 of all the tuns so taken by the
 butler or his lieutenant, under
 the seal of the said mayor and
 bailiffs by indentures made be-
 twixt them and the takers of
 the said wines. (4) And in
 case that it be found, that the
 butler or his lieutenant take
 more, or take reward of any,
 or delay any by colour of his
 office, as by arrest, he shall
 make gree to the party of the
 double, and shall be put out
 of his office, and have im-
 prisonment and be ransomed
 at the King's will. (5) And
 the King shall assign his justi-
 ces when it shall please him,
 to enquire upon these things;
 (6) And the butler shall an-
 swer as well for his deputies as
 for himself, where they be not
 sufficient.

The King's
 butler shall
 take no more
 wine than shall
 be appointed
 him.

43 Ed. 3. c. 3.
 6 Geor. 1. c. 12

CAP. XXII.

He that purchaseth a proviſion in Rome for an abbey, ſhall be out of the King's proteſtion, and any man may do with him as with the King's enemy.

Ex Edit. Raſ-
tal.
Proviſions.
Proviſors.
3 Inſt. 126, 127.
7 R. 2. c. 12.

ITEM, becauſe that ſome do purchaſe in the court of Rome proviſions, to have abbies, and priories in England, in deſtruction of the realm, and of holy religion: It is accorded, That every man that purchaſeth ſuch proviſions of abbies or priories, that he and his executors and procurators, which do ſue and make execution of ſuch proviſions, ſhall be out of the King's proteſtion. And that a man may do with them, as of enemies of our ſovereign lord the King and his realm. And he that offendeth againſt ſuch proviſors in body or in goods, or in other poſſeſſions, ſhall be excuſed againſt all people, and ſhall never be impeached nor grieved for the ſame at any man's ſuit.

Altered 5 Eliz.
c. 1.

CAP. XXIII.

The debt of a Lombard unpaid ſhall be ſatisfied by his company.

Ex edit. Raſt.
Lombards.

ITEM, Whereas much people of the realm, which have made con- traſts with Lombards, that be named of the companies dwelling in the ſame realm, which Lombards after that they have made their obli- gations to their creaſors, have ſuddenly eſcaped out of the realm without agreement made to their ſaid creaſors, in deceit and great damage of the people: It is accorded and aſſented, That if any merchant of the company, knowledge himſelf bound by the manner, that the company ſhall answer of the debt. So that another merchant, which is not of the company, ſhall not be thereby grieved or impeached.

1 Chan. Caſ.
204.
a Vern. 396.

De proclamatione ſtatuti.

REX vicecomiti Kantii ſalutem. Quedam ſtatuta in parlamento noſtro apud Weſtm' in feſto ſancti Hillarii proximo preterito convocato per nos prelatos duces comites barones & alios de communitate regni no- ſtri Anglie ad dictum parlamentum ſummonitos edita tibi mittimus ſub pede ſigilli noſtri mandantes quod ſtatuta predicta in pleno comitatu tuo legi & ea firmiter obſervari & teneri facias. T. R. apud Weſtm' vi. die Mart.

Conſimilia brevia diriguntur ſingulis vicecomitibus per Angliam ſub eadem data.

Conſimile breve dirigitur juſtic' Hibern' mutatis mutandis ſub eadem data.

Conſimilia brevia diriguntur ſubſcriptis ſub eadem data videlicet,

Willielmo de Shareſhull & ſociis ſuis juſtitiariis ad placita coram rege tenenda assignatis.

Johanni de Stonore & ſociis ſuis juſtitiariis de communi banco.
Theſaurario & baronibus de ſcaccario.

statute of provifors of benefices, made Anno
5 EDW. III. stat. 6. and Anno Dom. 1350.

*King and other lords fhall present unto benefices of their
own, or their ancestors foundation, and not the bifhop of
rome.*

ME jadis en le parle-
ment de bone memoire
EDWARD Roi d'Engleterre
estre feigneur le Roi gore
de fon regne trentifme
a Kardoil tenuz oie la
on mise devant le dit ael &
onfeil en le dit parlement
communalte de fon roi-
contenant qe come feinte
d'Engleterre soit founde en
de prelacie deins le roi-
d'Engleterre par le dit ael
progenitours & contes
s & nobles de fon roialme
r ancestres pur eux & le
; enfourmer de la lei Dieu
faire hofpitalites aumoig-
autres oeuvres de charite
ix ou les eglifes feurent
es pur les almes de foun-
& de leur heirs & de
cristiens & certains pos-
s tant en feez terres &
come en avowefons qe
endent a grande value par
tz foundours feurent af-
as prelatz & autres gentz
ite eglise du dit roialme
le charge fustener & non-
nt des poffeffions qe feu-
lignez as ercevesques eves-
bes priours religious &
gentz de feinte eglise par
is du dit roialme countes
s & autres nobles de fon
ie meifmes les Rois coun-
ons & nobles come feig-
k avowes euffent & aver-
nt la garde de tieles void-
& les presentementz &
ons des benefices esteantz
les prelacies.

les ditz rois en temps
passe

WHEREAS late in the par- Stat. Carlisle,
liament of good memory of 35 Ed. 1. c. 4.
EDWARD King of England, The causes
grandfather to our lord the King why the Kings
that now is, the xxv year of his and noblemen
reign, holden at Carlisle, the pe- of the realm
tition heard, put before the said did give lands
grandfather and his council in his to bishops and
said parliament by the commonal- other prelates.
ty of the said realm, containing,
That whereas the holy church of
England was founded in the
estate of prelacy, within the realm
of England, by the said grandfa-
ther and his progenitors, and the
earls, barons, and other nobles of
his said realm, and their ancestors,
to inform them and the people of
the law of God, and to make hofpi-
talities, alms, and other works of
charity, in the places where the
churches were founded, for the
souls of the founders, their heirs,
and all christians; (2) and certain
poffeffions, as well in fees, lands,
rents, as in advowfons, which do
extend to a great value, were af-
signed by the said founders to the
prelates and other people of the ho-
ly church of the said realm, to fuf-
tain the same charge, and especially
of the poffeffions which were assign-
ed to archbishops, bishops, abbots,
priors, religious, and all other people
of holy church, by the Kings of the
said realm, earls, barons, and other
great men of his realm; (3) the
same Kings, earls, barons, and
other nobles, as lords and advowees,
have had and ought to have the
custody of such voidances, and the
presentments and the collations of
the benefices being of such prela-
cies.

II.

The pope bestowed spiritual livings upon aliens not dwelling in England.

Hob. 146. 148.

The inconveniencies ensuing thereon.

II. *And the said Kings in times past were wont to have the greatest part of their council, for the safeguard of the realm when they had need, of such prelates and clerks so advanced; (2) the bishop of Rome, accroaching to him the seignories of such possessions and benefices doth give and grant the same benefices to aliens, which did never dwell in England, and to cardinals, which might not dwell here, and to others as well aliens as denizens, as if he had been patron or advowee of the said dignities and benefices, as he was not of right by the law of England; whereby if they should be suffered, there should scarcely be any benefice within a short time in the said realm, but that it should be in the hands of aliens and denizens by virtue of such provisions, against the good will and disposition of the founders of the same benefices; (3) and so the elections of archbishops, bishops, and other religious should fail, and the alms, hospitalities, and other works of charity, which should be done in the said places, should be withdrawn, the said grandfather, and other laypatrons, in the time of such voidances, should lose their presentments, the said council should perish, and goods without number should be carried out of the realm, in annullation of the estate of the holy church of England, and disberison of the said grandfather, and the earls, barons, and other nobles of the said realm, and in offence and destruction of the laws and rights of his realm, and to the great damage of his people, and in subversion of all the estate of his said realm, and against the good disposition and will of the first founders: (4) by the assent of the earls, barons,*

passé soloient aver la greindre partie de leur conseils pur la salvation du roialme quant ils en eurent mestier de tiels prelatz & clerics issint avances le pape de Rome acrochant a lui la seignurie de tieles possessions & benefices meismes les benefices dona & graunta as aliens qi unques ne demurerent el roialme dEngleterre & as Cardinaux qe y demurer ne purtoient & as autres tant aliens come denzeins autre sicome il eust este patron en avowe des dites dignities & benefices come il ne feust de droit selonc la lei dEngleterre par les queux fils feussent soeffertz a peine demureroit aucun benefice en poi de temps el dit roialme qil ne seroit es meins daliens & denzeins par vertue de tieles provisions contre la bone volunte & disposition des foundours de meismes les benefices & issint les elections des ercevesques evesches & autres religious faudroient & les almoignes hospitalites & autres oeuvres de charite qe ferroient faitz as ditz lieux ferroient fustretes le dit ael & autres lais patrons en temps de tieles voidances perderoient leur presentementz le dit conseil periroit & biens sanz nombre ferroient emportes hors du roialme en annullation del estat de seinte eglise dEngleterre & desheriteson du dit ael & des countes barons & nobles & en offens & destruction des lois & droitures de son roialme & grant damage de son poeple & subversion del estat de tut son roialme susdit & contre la bone disposition & volunte des premiers foundours del assent des countees barons nobles & tute la dite communalte a leur instante requēste consideres les damages

ges & grevances ſuſdites
dit plener parlement feust
u ordine & establi qe les
grevances oppreſſions &
ges en meſme le roialme
longes mes ne ferroient
tz en aucun manere. Et
nſtre ſoit a noſtre ſeignur
en ceſt parlement tenuz
ſtm' a les oetaves de la
cation de noſtre Dame lan
a regne d'Engleterre vin-
quint & de France duſ-
par le greveuſe plainte de
la communalte de ſon roi-
qe les grevances & miſ-
ſuſditz ſabondent de
en temps a plus grant
ge & deſtruction de tut le
ne plus qe unques ne fi-
eſt aſſaver qore de novel
ſeint pierre le pape par
rement des clerks & au-
nt ad reſervee & reſerve
ir en autre a ſa collation
alment & eſpecialment ſi-
reſerveechees eveſchees ab-
& priories come totes
tes & autres benefices
leterre qe ſont del avow-
e gentz de ſainte eglise &
oune auxibien as aliens
as denzeins & prent de
tiels benefices les prime-
nitz & autres profitz plu-
& grande partie du treſor
ialme ſi eſt emporte &
du hors du roialme par
urchaseours de tieles gra-
auxint par tieles reſerva-
prives pluſours clerks a-
en ceſte roialme par lour
es patrons qe ont tenuz
avancementz par long
peſiblement ſont ſodei-
nt oſtes ſur quoi la dite
unaltee ad prie a noſtre
r le Roi qe deſicome le
de la corone d'Engleterre
loi du dite roialme ſont
qe ſur meſchiefs & da-
L. II.

rons, and other nobles, and of all
the ſaid commonalty, at their in-
ſtances and requeſts, the damage
and grievances afore conſidered,
in the ſaid full parliament it was
ordained, provided, eſtabliſhed,
agreed, adjudged, and conſidered,
That the ſaid oppreſſions, griev-
ances, and damages in the ſame
realm from henceforth ſhould not
be ſuffered in any manner. (5)
And now it is ſhewed to our lord
the King in this preſent parlia-
ment holden at Weſtmiſter, at
the ſtas of the Purification of our
Lady, the five and twentieth year
of his reign of England, and
of France the twelfth, by the
grievous complaints of all the
commons of his realm, that the
grievances and miſchiefs aforeſaid,
do daily abound, to the greater
damage and deſtruction of all his
realm of England, more than
ever were before, viz. that now
of late the biſhop of Rome, by
procurement of clerks and other-
wiſe, hath reſerved, and doth
daily reſerve to his collation gene-
rally and eſpecially, as well arch-
biſhopricks, biſhopricks, abbeyes,
and priories, as all other digni-
ties and other benefices of Eng-
land, which be of the advowry of
people of holy church, and give
the ſame as well to aliens as to
denizens, and taketh of all ſuch
benefices the firſt fruits, and many
other profits, and a great part of
the treaſure of the ſaid realm
is carried away and diſpended
out of the realm, by the purchaſ-
ers of ſuch benefices and graces
aforeſaid; (6) and alſo by ſuch
privy reſervations many clerks
advanced in this realm by their
true patrons, which have peacea-
bly holden their advancements by
long time, be ſuddenly put out :
(7) whereupon the ſaid commons
have prayed our ſaid lord the
King,

The pope giv-
eth the bene-
fices of the
church, and
reſerveth the
firſt fruits to
himſelf.

King, that sithe the right of the crown of England, and the law of the said realm is such, that upon the mischiefs and damages which happen to his realm, he ought, and is bound by his oath, with the accord of his people in his parliament thereof to make remedy and law, and in removing the mischiefs and damages which thereof ensue, that it may please him thereupon to ordain remedy.

The causes and reasons of making this statute.

III. Our lord the king, seeing the mischiefs and damages before mentioned, and having regard to the said statute made in the time of his said grandfather, and to the causes contained in the same; which statute holdeth always his force, and was never defeated, repealed, nor adnulled in any point, and by so much as he is bounden by his oath to cause the same to be kept as the law of his realm, though that by sufferance and negligence it hath been sithence attempted to the contrary; (1) also having regard to the grievous complaints made to him by his people in divers his parliaments holden heretofore, willing to ordain remedy for the great damages and mischiefs which have happened, and daily do happen to the church of England by the said cause; (2) by the assent of all the great men and the commonalty of the said realm, to the honour of God, and profit of the said church of England, and of all his realm, hath ordered and established, That the free elections of archbishops, bishops, and all other dignities and benefices elective in England, shall hold from henceforth in the manner as they were granted by the king's progenitors, and the ancestors of other lords founders of the said dignities and other benefices. (4) And that all

Elections of the dignities of the church shall be free, as they were founded.

images qe si aveignent a soi roialme il doit & est tenuz par son serement del acord de son poeple en son parlement faire ent remede & lei en ostant les meschiefs & damages qenfi aveignent qe lui pleise de ce ordiner remede.

Nostre seigneur le Roi veiant les meschiefs & damages susnommes & eant regard al dit estatut fait en temps son dit ael & a les causes contenues en yeele le quel estatut tient touz jours sa force & ne feust unques defait ne annulli en nul point & pur tant est il tenuz par son serement del faire garder come la loi de son roialme coment qe par soeffrance & negligence ad este puis attempte a contraire & auxint eant regard a les grevous plaintes a lui faites par son poeple en ses divers parlementz cea enarere tenuz voillantz les trefgrantz damages & meschiefs qe sont aveunz & viegnont de jour en autre a la eglise dEngleterre par le dite cause remede ent ordiner par assent de touz les grantz & la communalte de son dit roialme al honur de Dieu & profit de la dite eglise dEngleterre & de tut son roialme ad ordine & establi qe les franchises elections des erceveschees eveschees & tutes autres dignites & benefices electifs en Engleterre se tiegnent desore en manere come eles feurent grantes par les progenitours nostre dit seigneur le Roi & par les auncestres dautres seignurs foundes. Et qe touz prelatz & autres gentz de seinte eglise qi ont avowefons de queconques benefices des douns nostre seigneur le Roi & de ses progenitours ou dautres seignurs & donours pur faire divines services & autres charges

pre-

ent

dines eient lour collations ſentementz franchement manere come ils eſtoient par lour donours. Et en daſcune erceveſchee eveſlignite ou autre quecunqe ce ſoit reſervation colla-u proviſion faite par la de Rome en deſtoubance tions collations ou pre- ions ſuſnomes qe a meiſ- ſ temps des voidances qe reſervations collations & ions deuſent prendre eſ- e a meiſme la voidance ſeignur le Roi & ſes heirs & enjoient pur cele ſoitz illations as erceveſchees ees & autres dignities e- ſ qe ſont de ſavoverie ſ come ſes progenitours it avant qe franche elec- uſt graunte deſicome les ſns ſeurent primes gran- ir les progenitours le Roi teines forme & condition a demander du Roi con- eſſir & puis apres la elec- aver ſon aſſent roial & ne- n autre manere les queles ions nyent gardez la doit par reſon reſortir a nore nature.

qe ſi daſcune meſon de n del avoverie le Roi ſoit reſervation collation ou ion faite en deſtoubance nche election eit noſtre r le Roi & ſes heirs a ce- z la collation a doner ce- uite a perſone covenable.

cas qe reſervation colla- u proviſion ſoit faite a la de Rome de nule eglise ide ou autre benefice qe el avoverie des genz de eglise dont le Roi eſt a- paramount immediat qe ne le temps de voidance temps la reſervation col- ou proviſion deuſent pren-

prelates and other people of Patrons and holy church, which have ad- founders of vowſons of any benefices of the the dignities of the church, King's gift, or of any of his and their progenitors, or of other lords heirs, shall and donors, to do divine have the colla- services, and other charges tion or pre- thereof ordained, shall have ſentation to their collations and present- them being void. ments freely to the ſame, in 9 H. 3. ſtat. 1. c. 33. the manner as they were en- ſeoffed by their donors. (5) Where the And in caſe that reſervation, pope maketh collation, or proviſion be made provision to a by the court of Rome, of any dignity of the archbiſhoprick, biſhoprick, dig- church, the nity, or other benefice, in di- King ſhall pre- ſturbance of the free elections, ſent. collations, or preſentations aforenamed, that at the ſame time of the voidance, that ſuch reſervations, collations, and proviſions ought to take effect, our lord the King and his heirs ſhall have and enjoy for the ſame time the collations to the archbiſhopricks and other dig- nities elective, which be of his advowry, ſuch as his progeni- tors had before that free electi- tion was granted ſince that the election was firſt granted by the King's progenitors upon a cer- tain form and condition, as to demand licence of the King to chuſe, and after the election to have his royal aſſent, and not in other manner; which con- ditions not kept, the thing ought by reaſon to reſort to his firſt nature.

IV. And if any ſuch reſerva- tion, proviſion, or collation be made of any houſe of religion of the King's advowry, in di- ſturbance of free election, our ſovereign lord the King, and his heirs, ſhall have for that time the collation to give this dignity to a convenient perſon.

(2) And in caſe that collation,

reservation, or provision be made by the court of *Rome* of any church, prebend, or other benefices, which be of the advowry of people of holy church, whereof the King is advowee paramount immediate, that at the same time of the voidance, at which time the collation, reservation, or provision ought to take effect as afore is said, the King and his heirs thereof shall have the presentation or collation for that time. (3) And so from time to time, whensoever such people of holy church shall be disturbed of their presentments or collations by such reservations, collations, or provisions, as afore is said; saving to them the right of their advowsons and their presentments, when no collation or provision of the court of *Rome* is thereof made, where that the said people of holy church shall or will to the same benefices present or make collation; and that their presentees may enjoy the effect of their collations or presentments. (4) And in the same manner every other lord, of what condition that he be, shall have the collations or presentments to the houses of religion which be of his advowry, and other benefices of holy church which be pertaining to the same houses. (5) And if such advowees do not present to such benefices within the half year after such voidances, nor the bishop of the place do not give the same by lapse of time within a month after half a year, that then the King shall have thereof the presentments and collations, as he hath of other of his own advowry. (6) And in case that the presentees of the King,

dre effect come defus est dit que le Roi & ses heirs de ce eient le presentement ou collation a cele foitz. Et issint de temps en temps a totes les foitz que tieles gentz de seinte eglise seront destourbez de leur presentementz ou collations par tieles reservations collations ou provisions come defus est dit Sauve a eux le droit de leur avowesons & presentementz quant nul collation ou provision de la court de Rome ent ne soit faite ou que les dites gentz de seinte eglise osent & vuillent a meismes les benefices presenter ou collation faire & leur presentees puissent leffait de leur collations & presentementz enjoier. Et en meisme la manere eit chescun autre seigneur de quel condition qil soit les presentementz ou collations a les mesons de religion que sont de savowrie & as benefices de seint eglise que sont apurtenantz a meismes les mesons. Et si tiels avowes ne presentent point a tieles benefices deinz le demy an apres tieles voidances ne levesqe de lieu ne la doune par laps de temps deinz un mois apres le demy an que adonques le Roi eit ent les presentementz & collations come il ad dautres de savowrie demeisme. Et en cas que les presentees le Roi ou les presentes dautres patrons de seinte eglise ou de leur avowes ou ceux as queux le Roi ou tielx patrons ou avowes susditz averont done benefices apurtenantz a leur presentementz ou collations soient destourbez par tiels provisours issint qils ne puissent avoir possession de tieles benefices par vertue des presentementz & collations issint a eux faitz ou que ceux que sont en possession des tieles benefices soient

empelches sur leur dites
lions par tielx provifours
ques foient les ditz provi-
& leur procuratours ex-
ers & notaires attaches par
corps & menes en respon-
ils foient convictz demoer-
en prifone sanz estre leffe
nprise en baille ou autre-
delivres tanqils averont
n & redemption au Roi a
lente & gree a la partie qe
tera greve. Et nient meins
qils foient delivriers facent
renunciation & troevent
sante feurete qils n'attemp-
t tiele chose en temps a-
ne nul proces fueront
aux ne par autre divers
en la dite court de Rome
le part aillours pur nules
emprisonementz ou re-
lations ne nule autre chose
adant de eux.

en cas qe tielx provifours
ratours executours & no-
ne foient trovez qe lexi-
courage devers eux par
roces & qe briefs issent de
le leur corps quel part
oient trovez auxibien a la
le Roi come de partie &
le meisme temps le Roi
s profitz de tielx bene-
iffint ocupez partiellx pro-
rs forfpris abbeies prio-
& autres melons qont col-
ou covent & en tieles
ns eient les covent & col-
les profitz fauvant tote-
a nostre seignur le Roi &
tres seignurs leur aunci-
droit. Et eit cest estatut
auxibien de reservations
ions & provisions faites &
es en temps passe devers
ceux qe ne sont unqore
corporele possession des
fices a eux grantes par
nes les reservations colla-
& provisions come devers
toux

or the presentees of other pa-
trons of holy church, or of
their advowees, or they to
whom the King, or such pa-
trons or advowees aforefaid,
have given benefices pertaining
to their presentments or colla-
tions, be disturbed by such
provifors, so that they may
not have possession of such be-
nefices by virtue of the present-
ments or collations to them
made, or that they which be
in possession of such benefices
be impeached upon their faid
possessions by such provifors;
then the faid provifors, their
procurators, executors, and
notaries, shall be attached by
their body, and brought in to
answer; (7) and if they be con-
vict, they shall abide in prison
without being let to mainprife
or bail, or otherwise delivered,
till that they have made fine
and ransom to the King at his
will, and gree to the party that
shall feel himself grieved. (8)
And nevertheless before that
they be delivered, they shall
make full renunciation, and
find sufficient surety that they
shall not attempt such things
in time to come, nor sue any
process by them, nor by other,
against any man in the court of
Rome, nor in any part else-
where, for any such imprison-
ments or renunciations, nor any
other thing depending of them.

V. And in case that such
provifors, procurators, execu-
tors, or notaries be not found,
that the exigent shall run against
them by due process, and that
writs shall go forth to take
their bodies in what parts they
be found, as well at the King's
suit, as at the suit of the party,
(2) and that in the mean time
the King shall have the profits

The penalties
of those which
by provisions
from Rome do
disturb such
presentments
or elections as
others ought
to make.
16 H. 8. c. 15.

3 Inst. 127.

of fuch benefices fo occupied toutx autres en temps avenir. Et
by fuch provifors, except ab- doit cest estatut tenir lieu com-
beys, priories, and other houfes, menceant a les oetaves fufditz,
which have colleges or co-
vents, and in fuch houfes the colleges or covents fhall have
the profits; faving always to our lord the King, and to all other
lords, their old right. (3) And this ftatute fhall have place as
well of refervations, collations, and provifions made and granted
in times paff againft all them which have not yet obtained cor-
poral poffeffion of the benefices granted to them by the fame
refervations, collations, and provifions, as againft all other in
time to come. And this ftatute oweth to hold place and to begin
at the faid *was*.

23 R. 2. ftat. 1.
c. 1.
23 R. 2. ftat. 2.
c. 2.
26 R. 2. c. 5.

Statutum apud Westm' editum eodem, Anno 25
EDW. III. ftat. 7. Anno Dom. 1350.

*The King granteth to the commons in aid of a difme and
fifteen by them before granted to him, all the iffues, fines,
forfeitures, and amerçiements levied of labourers, artificers,
regrators, viſtuallers, and ſervants.*

Ex edit. Raft.

WHEREAS our ſovereign lord the King, the prelates, earls, ba-
rons, and other people affembled at his parliament, holden at
Weſtminſter in the feaſt of Saint Hillary, the year of the reign of our
ſaid ſovereign lord the King of England the xxv. and of France the
xij. hath granted to the commons of the realm of England, in aid of the
diſme and quinzime, which the ſaid commons have granted to our
ſovereign lord the King, for the ſpeed of his wars of France, and de-
ſence of his realm of England, for three years next enſuing, all the
fines, iſſues, forfeits, amerçiements, and all other profits, which be
or ſhall be levied or taken of labourers, artificers, regrators, vi-
tuallers, hoſtlers, and all manner of workmen, and of ſervants, in
all points fully as is contained in the ſtatute thereof made at the laſt par-
liament, holden at Weſtminſter at the utas of Candlemas, the year
aforeſaid, from the feaſt of Eaſter laſt paſt, till the laſt term of the
parliament of the diſme and quinzime aforeſaid. And further, if
any thing be behind of the ſaid fines, amerçiements, and other profits
aforeſaid, of the making of the ſaid ſtatute, that is not paid to the com-
mons in aid of their diſme and quinzime, running before this time, in
ſummons whereof the King is not answered: that then the ſaid com-
mons ſhall have that is behind in aid of their diſme and quinzime
triennial, granted at this parliament. And the ſaid commons
prayeth our ſovereign lord the King, and the great men, that
commiſſions of labourers be made to certain people in every
county, named by the ſaid commons in this parliament, to en-
quire and do right according to the ſaid ſtatute. And that the
ſame juſtices take reaſonable wages every one after his eſtate, of
the iſſues and profits ariſing of their ſeſſions. And that the
juſtices do to be delivered their eſtreats to the collectors of the
ſaid diſme and quinzime, in the counties where they ſhall be by
indenture.

Diſme and
quinzime.

indenture. And that the eſtreats thereof delivered at the exchequer ſhall be delivered to the ſaid juſtices : and that they do the ſame to be delivered out of their cuſtody to the ſaid collectors. And the ſame juſtices before their riſing in every ſeſſions ſhall do to be aſſerred the amerçiaments as pertaineth. And when they ſhall be aſſerred, all the eſtreats and all the profits of their ſeſſions, at the end of every ſeſſions ſhall be put in a certain ſum, in the preſence of the ſaid juſtices and collectors, and of the knights, and ſerjeants of the beſt of the country. And be it apportioned of the ſame ſum by the oaths of good and lawful knights, and other of every hundred in the form as hereafter followeth : that is to ſay, of every hundred there ſhall be certain people choſen before the ſame juſtices, as many as ſhall need, ſworn to ſhew and to ſay of every town of the hundred, and of every hamlet, the waſtes, miſchiefs, and impoveriſhments of the ſame, as well of franchises as without, without concealing or favouring of any man. And the ſum when it ſhall be ſo put in certain, ſhall be apportioned at the end of every ſeſſions, betwixt the ſaid towns and hamlets, by the advice of the ſaid juſtices, and by the oath of the collectors, and other above-named, according to the eſtate of the ſaid towns and hamlets, and their miſchief, and according as their neceſſities demandeth. So that to every town and hamlet the portion ſhall be allotted, and put in certain, and the cauſe of the ſame before the ſaid juſtices, and put in their record, and recouped in part of payment of the old tax of the ſaid towns and hamlets. And that the remnant of the ſaid tax of the ſaid towns and hamlets, be levied by the ſaid collectors, beſide the eſtreats delivered to them by the ſaid juſtices, according to the ſaid apportioning, and no more, upon pain to loſe the treble to the parties, of whom the thing ſhall be levied, and which thereof ſeeleth them grieved, and to be ranomed at the King's will. And that the ſaid juſtices have power to hear and determine as well at the ſuit of the party as at the King's ſuit, of the collectors, under-collectors, taxers, and all other miniſters, and all other which ſhall do or come againſt the ſaid ordinances, and to make thereupon ready puniſhment. And that all the profits riſing of ſuch puniſhments in any manner, which ſhall be judged before the ſaid juſtices, of ſuch labourers, workmen, and artificers, or becauſe of them, ſhall be in aid of the commons, for to bear the charge of their *diſme* and *quinzime* aforeſaid. And that it be contained in the commiſſions thereof made, that all miniſters of lords of franchises and their bailiffs, ſhall be attendant to the ſaid juſtices upon a grievous pain. To which things aforeſaid our ſovereign lord the King, and the prelates, earls, barons, and other great men, being in the ſaid parliament, have fully given their aſſent. *So always that by occaſion of any point aforeſaid, the levying, nor the payment of the ſaid diſme and quinzime triennial, ſhall in no wiſe be delayed at any of the terms aforeſaid.* ^{23 Ed. 3. c. 8.} ^{36 Ed. 3. c. 14}

A statute of provifors, made Anno 27 EDW. III.
stat. 1. and Anno Dom. 1353.

OUR lord the King, by the af-
fent and prayer of the great
men, and the commons of his realm
of England, at his great council
holden at Westminster, the Mon-
day next after the feaft of St.
Matthew the Apofle, the twenty-
feventh year of his reign of Eng-
land, and of France the four-
teenth, in amendment of his faid
realm, and maintenance of the
laws and ufages, both ordained and
eftablifhed thefe things under writ-
ten,

NOSTRE feignur le Roi de
laissent & a la priere des
grauntz & de la communalte
de fon roialme dEngleterre a
fon grant conseil tenuz a West-
monfter le Lundy profchein
apres la feſte de Seint Matheu
Lapofle lan de fon regne ceſt
affavoir dEngleterre vintſep-
tiſme & de France quatorziſme
en amendment de fon dit roi-
alme & pur les leis & ufages de
fon dit roialme maintenir ſi ad
ordene & eſtabli les choſes ſou-
zeſcriptes;

CAP. I.

*Præmunire for ſuing in a foreign realm, or impeaching of
judgement given.*

4 Inſt. 36.
3 Inſt. 120. 125.
71 Co. 63.
72 Co. 37.

FIRST, Because it is ſhewed
to our lord the King, by the
grievous and clamorous complaints
of the great men and commons
aforeſaid, how that divers of the
people be, and have been drawn
out of the realm to answer of
things, whereof the cognifance per-
taineth to the King's court; (2)
and alſo that the judgements given
in the ſame court be impeached in
another court, in prejudice and
diſheriſon of our lord the King,
and of his crown, and of all the
people of his ſaid realm, and to the
undoing and deſtruction of the
common law of the ſame realm at
all times uſed. (3) Whereupon,
good deliberation had with the
great men and other of his ſaid
council, it is aſſented and ac-
corded by our lord the King,
and the great men and com-
mons aforeſaid, That all the
people of the King's ligeance,
of what condition that they be,
which ſhall draw any out of
the realm in plea, whercof the

PRimerement pur ce qe mon-
ſtree eſt a noſtre dit ſeig-
nur le Roi par grevous & cla-
mous plaintes des grantz &
communes avantditz coment
plusours gentz ſont & ount eſte
traites hors du roialme a re-
ſpondre des choſes dount la co-
niſſance appartient a la court
noſtre ſeignur le Roi & auſſint
qe les juggementz renduz en
meiſme la court ſont empes-
chez en autri court en preju-
dice & deſheriſon noſtre ſeig-
nur le Roi & de ſa corone &
de tout le poeple de fon dit ro-
ialme & en deſelance & anien-
tiſſement de la commune lei de
meiſme le roialme uſee de tout
temps. Sur quoi euz bone de-
liberation od les grantz & au-
tres du dit conseil aſſentu eſt &
acorde par noſtre dit ſeignur le
Roi & les grantz & communes
ſuſditz qe totes gentz de la
ligeance le Roi de quele condi-
tion qils ſoient qi trehent nulli
hors du Roialme en plee dount

The penalty
for ſuing in a
foreign realm
for any thing
whereof the
King's court
is to take cog-
niſſance, or to
impeach a
judgement
given in the
King's court.

cog-

h

iffance appartient a la
le Roi ou des chofes
juggementz font renduz
court le Roi ou qi fuent
ri court a deffaire ou em-
r les juggementz renduz
court le Roi eient jour
iant leſpace de deux mois
rniſſement affaire a eux
lieu ou les poſſeſſions font
t en debat ou aillours ou
eront terres ou autres
ions par le viſcont ou au-
niſtre du Roi deſtre de-
e Roi & ſon conſeil ou en
uncellerie ou devant les
s le Roi en ſes places del
unk ou del autre ou de-
autres juſtices le Roi qi
it a ce deputez a reſpon-
a leur propre perſones au
u contempt fait en celle
. Et ſils ne viegnent mie
jour en propre perſone
ter a la lei ſoient ils leur
ratours attournez execu-
notairs & meintenours de
our en avant mis hors de
tection le Roi & leur ter-
ens & chateux forfaitz au
e ſoient leur corps ou qils
: trovez pris & empriſo-
: reintz a la volonte le Roi
r ce ſoit brief fait de les
re par leur corps & de
leur terres biens & poſ-
as en la main le Roi et ſi
rne ſoit qils ne ſont mie
z ſoient mis en exigend &
hez.
rveu totes foitz qe a quele
: qils viegnent devant qils
t utlaghez & ſe veullent
e a la priſone le Roi de-
uſticez par le lei & reciev-
qe la court le Roi agarde-
celle partie qils ſoient a
ceuz la forfaiture des ter-
iens & chateux demorante
force ſils ne ſe rendent
: les ditz deux mois come
at eſt dit.

cogniſance pertaineth to the
King's court, or of things
whereof judgements be given in
the King's court, or which do
ſue in any other court, to defeat
or impeach the judgements
given in the King's Court,
ſhall have a day, containing
the ſpace of two months, by
warning to be made to them in
the place where the poſſeſſions
be, which be in debate, or
otherwiſe where they have ^{11 Co. 34.}
lands or other poſſeſſions, by ^{1 Lev. 241, 242.}
the ſheriffs or other the King's
miniſters, to appear before the
King and his council, or in his
chancery, or before the King's
juſtices in his places of the one
bench or the other, or before
other the King's juſtices which
to the ſame ſhall be deputed,
to answer in their proper per-
ſons to the King, of the con- ^{38 Ed. 3. ſtat. 2.}
tempt done in this behalf. (4) ^{c. 3.}

And if they come not at the
ſaid day in their proper perſon
to be at the law, they, their
procurators, attornies, execu-
tors, notaries, and maintain-
ors, ſhall from that day forth
be put out of the King's pro-
tection, and their lands, goods,
and chattels forfeit to the King,
and their bodies, whereſoever
they may be found, ſhall be
taken and imprifoned, and ran-
ſomed at the King's will : (5)
And upon the ſame a writ ſhall
be made to take them by their
bodies, and to ſeiſe their lands,
goods, and poſſeſſions, into the
King's hands ; (6) and if it be
returned, that they be not
found, they ſhall be put in exi-
gent, and outlawed.

II. Provided always, That
at what time they come before
they be outlawed, and will yield
them to the King's priſon to
be juſtified by the law, and to
receive

Appearance of
the offender
after two
months will
ſave his out-
lawry, but no
his lands or
goods.

Reg. 182.

receive that which the court shall award in this behalf, that they shall be thereto received; the forfeiture of the lands, goods, and chattles abiding in their force, if they do not yield them within the said two months, as afore is said.

CAP. II.

In a pardon of felony the suggestions and suggestor's name shall be comprised.

In every pardon of felony the suggestion and the suggestor's name shall be comprised.

ITEM, *Because our lord the King hath often granted charters of pardon of felonies upon feigned and untrue suggestions of divers people, whereof much evil hath chanced in times past;* (2) and for to eschew such evil, it is accorded and assented by our said lord the King, and all the said council, That from henceforth in every charter of pardon of felony, which shall be granted at any man's suggestion, the said suggestion, and the name of him that maketh the suggestion, shall be comprised in the same charter; (3) and if after the same suggestion be found untrue, the charter shall be disallowed and holden for none: (4) And the justices before whom such charters shall be alledged, shall enquire of the same suggestion, and that as well of charters granted before this time, as of charters which shall be granted in time to come; and if they find them untrue, then they shall disallow the charters so alledged, and shall moreover do as the law demandeth.

A pardon granted upon a false suggestion shall be disallowed. Raft. 455.

AUssint pur ce que nostre seignur le Roi ad sovent grantee chartres de pardon de felonies par feintes & nient veritables suggestions de plusieurs gentz dount plusieurs malx sont avenuz cea en arere & pur tieux malx eschuir si est acorde & assentu par nostre dit seignur le Roi & tout le dit conseil que desore en chescun chartre de pardon de felonie que sera grantee a suggestion de nully soit la dite suggestion & le noun de celui qui fist la suggestion compris en meisme la chartre & si apres soit trove la suggestion nient veritable soit la chartre disalowe & tenue pur nulle & enquerger les justices devant queux tieux chartres sont alleggez de meisme la suggestion & ce aussibien des chartres avant ces heures grantez come des chartres que serront grantez en temps avenir et s'ils la troeissent nient verraie adonques desalowerent la chartre issint aleggee & ent facent outre ce que la lei demand.

CAP. III.

Commissions shall be granted to enquire of offenders contrary to the statute of 23 EDWARD III. c. 6.

Ex edit. Raft. Victuals.

ITEM, *For the great and outrageous dearth of victuals, which hostlers, harbingers, and other regrators of victuals make through the realm, to the great damage of the people passing through the realm:* It is accorded and established, That the justices learned in the law, which be good and convenient, shall be newly chosen to enquire of the deeds and outrages of such hostlers, regrators, labourers, and all other comprised in the statute another time thereof

thereof made, and them to punish, and moreover to do right to the King and his people : *Saving always to every lord and other, their franchises in all points.*

CAP. IV.

The aulnegers fees for every cloth sold. Cloths shall be sealed before they be put to sale. A subsidy granted to the King of every cloth sold.

AUffint pur ce qe les grantz & communes ount monstree a nostre seignur le Roi comment plusieurs marchantz si bien foreins come denzeins se ount retraiz & uncore se re-treent de venir od draps en le roialme dEngleterre a grant damage du Roi & de tout le poeple par cause qe launeour le Roi surmette as marchantz estranges qe leur draps ne sont mie daffise cest assavoir le drap de colour de la longure de vint & sis aunes mesuree par le dos & de la laeure de sys quarters & dimid' & le drap de raie de la longure de vint & oet aunes mesuree par leliste & de la laeure de sys quarters & les arest come forsaiz au Roi & ount prie a nostre dit seignur le Roi qe lui plese releffer & oster tieles forfaitures en cese de son poeple pur covenable recompensation faire a lui dautre part nostre seignur le Roi sur tiele condition otroiant a lour supplication ad releffe & oste de tout les dites forfaitures & voet & grant pur lui & pur ses heirs qe mes ne soient nuls draps forfaitz tout ne soient ils de lassise avantdite mes qe launeour le Roi face auner les draps & les mercher par quele merche homme purra conoistre combien le draps contient & de tant come sera trove le draps qe est achate pur draps daffise estre meinz qe daffise soit allowance ou rebatment fait a lachatour

en

ITEM, *Whereas the great men and commons have shewed to our lord the King, how divers merchants, as well foreigners as denizens, have withdrawn them, and yet do withdraw them, to come with cloths into England, to the great damage of the King and of all his people, because that the King's aulneger surmiseth to merchant strangers, that their cloths be not of assise, that is to say, The coloured cloth of the length of six and twenty yards measured by the crest, and of the breadth of six quarters and an half ; (2) and the cloth of ray, of the length of eight and twenty yards measured by the list, and of the breadth of six quarters ; (3) and whereas the same have been arrested as forfeit to our lord the King, they have prayed our said lord the King, that it may please him to release and put out such forfeitures in ease of his people, for a convenient recompence to be made to him of the other party ; Our lord the King, upon such condition hearing their supplication, hath released and excluded him of all the said forfeitures, and he willeth and granteth for him and for his heirs, that there shall be no cloths forfeit, although they be not of the same assise, but the King's aulneger shall measure the cloth, and mark the same, by which mark a man may know how much the cloth containeth : (4) And of as much as the cloth, which is bought*

The length and breadth of coloured cloth, and cloth of ray.

The King's release of the forfeiture of cloths.

for

The aulneger's
fee for every
cloth and half
cloth sold.
Hardress, 206.

A subsidy
granted to the
King of every
cloth.

for cloth of assise, shall be found less than the assise, allowance or abatement shall be made to the buyer in the payment which he shall make for the same cloth, after the quantity of the price for which the cloth was bought : (5) and the aulneger shall take for every cloth so measured, which is of assise, that is to say, Of the seller an half-penny, and of half a cloth a farthing for his office, and no more ; nor they shall take nothing of the cloths which be less than of the half cloth ; (6) and that he nothing meddle of the aulnage of any cloth, but only of cloths which are to be sold. (7) And for so much the said lords and commons have granted to the King a subsidy of every cloth which is to be sold, to take of the seller over the customs thereof due, that is to say, Of every cloth of the said assise, wherein there is no grain, iv. d. (8) and of every half such cloth, ii. d. (9) and of every cloth of assise of scarlet, vi. d. (10) and of every half such cloth, iii. d. (11) and of every cloth half grain of assise, v. d. (12) and of every half such cloth, ii. d. ob. (13) And that every cloth passing the half cloth of assise by three yards and more, which is no cloth whole of assise, and also of every cloth passing the whole cloth by three yards and more, shall be taken after the rate or subsidy which is to be paid for the whole cloth of the same sort ; (14) so always, that of no cloth which containeth not half a cloth, nor of cloths which a man maketh for his own use to clothe him and his meiny, nor of cloth sealed with the seal of the collector of the said

en le paiement qil ferra pur meisme le draps solonc la quantite du pris pur quel le draps feust achate & qe launeour preigne pur chescun draps issint auncce qest dassise cest assavoir du vendour un maill & de dimid' draps un ferthyng pur son office & nient plus ne qil ne preigne rien de draps qe est meinz qe di' draps et qil ne se melle rien de launage de nuls draps fors soulement de draps qe sont a vendre. Et par tant les ditz feignurs & communes ount grante au Roi un subsid' de chescun draps qest a vendre a prendre du vendour outre les custumes ent due cest assavoir de chescun draps du dite assise en quele ny ad point de graine iiij. d. & de dimi tieu draps ii. d. de chescun draps de scarlet dassise vi. d. & de dimi tieu draps iii. d. & de chescun draps dassise de dimi graine cinque deniers & de di' tieu drap ii. d. ob. Et qe de chescun drap passant di' drap dassise par trois aunes & plus qe nest mie drap entiere dassise & aussint de chescun drap passant drap entiere par trois aunes & plus soit pris solonc lasserant du subsid' qest a paier pur le drap entiere de meisme la sorte issint totesfoitz qe de nul drap qe ne contient pas di' drap ne de draps queux homme fait a son oepe demesne pur vestir lui & sa meisme ne de draps ensealez du seal du coillour du dit subsid' des queux meisme le subsid' est unefoitz paie par le vendour a q mains qe tieux draps deviegnent apres a vendre ou en autre manere rien du dit subsid' soit paie ne demande. Et qe tote inanere de draps qe sont mis a vente avant qils soient ensealez du dit seal soient for-
faitz

au Roi & pris en sa main
dit coillour ou auneour
r le depute de lun de eux
tremment par baillifs de la
ou tiel drap vendable ni
seale ferrera trove.

saïd subsidy, of which the same
subsidy was once paid by the
seller, to whose hands that such
cloths shall come after to sell,
or in any manner, nothing of
the saïd subsidy shall be paid
and demanded. (15) And that

nanner of cloths which be put to sale before that they be
with the saïd seal, shall be forfeit to the King, and taken
his hands by the saïd collector or aulneger, or by the de-
of one of them, or else by the bailiffs of the town where
vendible cloths not sealed shall be found.

Cloths put to
sale before
they be sealed
shall be forfeit.
Carthew, 325.
5 & 6 Ed. 6.
c. 6.

11 W. 3. c. 20.

CAP. V.

It shall be felony to forestal or ingross Gascoin wine.

EM, It is assented and accorded, that defence and procla-
tion shall be made, that no *English* merchants shall engross
forestal wines in *Gascoin*, nor take them by way of buying
Gascoin, nor of other, for to pay in *England*, for any greater
than wines be commonly sold in *Gascoin*, becaule of the
in peril of the sea, or by any other colour, (2) upon pain
e and member, and of forfeiture of the wines and of all
other goods and chattles to the King, and of forfeiture of
lands and tenements to the chief lords. (3) And the
lords shall have a writ of escheat in such case.

Ex edit Polton.
It shall be felo-
ny forestalling
or ingrossing
of *Gascoin*
wines.

4 Inst. 51.
Repealed for
the felony and
for the forfei-
ture of lands
by 37 Ed. 3.
c. 16.

CAP. VI.

Merchants may bring their wines to what ports they will.

EM, That all merchants *Gascoins*, and other strangers,
may safely bring their wines into *England*, to what port that
please them, and make thereof their profits. (2) So al-
that the King's butler may make purveyance of wines of
when need shall be, making payment for the same wines
n forty days, in the manner as hath been used in old time.

Merchants
may bring
their wines to
what ports
they will.
43 Ed. 3. c. 3.

CAP. VII.

When and where Gascoin wines may be bought.

EM, That no *English* merchant, nor any of his servants,
or other for them, shall go into *Gascoin* there to abide, nor
have any other there dwelling, to make bargain or buying
nes by any colour before the time of the vintage, that is to
before that common passage be made to seek wines there.
And that none buy nor bargain by himself nor by other,
vines, but only in the ports of *Burdeaux* and *Bayon*; upon the
and forfeitures next aforesaid. (3) And if any be there
l doing against the same, he shall be taken and arrested by
eward of *Gascoin*, or the constable of *Burdeaux*, and his body
nto *England* to the tower of *London*. (4) And that the
steward or constable certify the King in his chancery of
ames of such arrested, and of their masters and fellows also,
all the deed.

It shall be fe-
lony for any
English Mer-
chant to lye
in *Gascoin* to
buy wines,
but in vintage
time.
Repealed for
the felony and
for the forfei-
ture of lands
by 37 Ed. 3.
c. 16.

CAP.

CAP. VIII.

Red and white wine fhall be gauged; and the punifhment of him that bindeth it.

Confirmed by
28 H. 8. c. 14.
f. 5.
Red and white
wine fhall be
gauged, and
the punifh-
ment of him
that doth hin-
der it.

ITEM it is accorded and eftabliſhed, That all wines red and white, which ſhall come into the ſaid realm, and into the land of *Wales* and *Ireland*, to ſell, ſhall be well and lawfully gauged by the King's gaugers, or their deputies.

(2) And if any do ſet diſturbance or debate, and will not ſuffer the ſame to be gauged, he ſhall forfeit the ſaid wines, and ſhall be puniſhed by imprifonment, and ransomed at the King's will. (3) And if default be found in the gauger, that he or his deputy be not ready to do his office when he ſhall be required, or that he do fraud or deceit in doing his office, to the damage of the buyer or of the ſeller, he ſhall pay to the party grieved his treble damages, and loſe his office, and be puniſhed by imprifonment, and ransomed at the King's will. (4) And in caſe that leſs be found in the tun or pipe, than ought to be of right, after the aſſiſe, of the tun the value of as much as ſhall lack of ſuch tun or pipe ſhall be allowed and deducted in the payment.

A Uſint ordene eſt & eſtabliſſe que tous vins vermeilles & blauncs qe vendront en le dit Roialme & en les terres de Gales & Irland a vendre ſoient bien & loialment gaugez par le gaugeour le Roi ou ſon depute. Et ſi nul mette deſtourbance ou debate & ne voet mie ſoeſſrir ſes vins eſtre gaugez qil forſace les ditz vins & ſoit puni par emprifonement & reint a la volonte le Roi. Et ſi deſaute ſoit trove en le gaugeour qe il ou ſon depute ne ſoit mie preſt de faire ſon office quant il ſerra requis ou face fraude ou deceit en ſeſant ſon office au damage de la chatour ou de le vendour paie a la partie endamagee ſes damages au treble & perde ſon office & ſoit puni par emprifonement & reint a la volonte le Roi. Et en cas qe meinz ſoit trove en le tonel ou pipe qe ne deuft eſtre de droit ſolonc laſſiſe du tonel ſoit allowe & recoupe en le paiement la value de ce qe faudra de tieu tonel ou pipe.

1 R. 3. c. 13.
4 R. 2. c. 1.
18 H. 6. c. 17.
23 H. 6. c. 16.

The ſtatute of the ſtaple, made *Anno* 27 EDW. 3.
ſtat. 2. and *Anno Dom.* 1353.

EDWARD by the grace of God, &c. to our ſheriffs, mayors, bailiffs, miniſters and other our faithful people, to whom theſe preſent letters ſhall come, greeting. Whereas in good deliberation had with the prelates, dukes, earls, barons, and great men of the counties, that is to ſay, of every county one for all the county, and of the commons of cities and Boroughs of our realm of *England*, ſummoned to our great council holden at *Weſtmiſter* the *Monday* next after the feaſt of *S. Mattheu* the apoſtle, the ſeven and twentieth year of our reign of *England*

England, and of France the fourteenth, (2) on the damage which hath notoriously come as well to us and to the great men, as to our people of our realm of England, and of our lands of Wales and Ireland, because that the staple of wools, leather, and woolfels of our said realm and land have been holden out of our said realm and lands, and also for the great profits which should come to the said realm and lands if the staple were holden within the same, and not elsewhere: (3) to the honour of God, and in relief of our realm and lands aforesaid, and for to eschew the perils that may happen of the contrary in time to come, by the counsel and common assent of the said prelates, dukes, earls and barons, knights and commons aforesaid, we have ordained and established the things underwritten.

2 Hen. 5.
stat. 1. c. 6.
2 Hen. 6. c. 4.
3 Hen. 6. c. 4.

CAP. I.

Where the staple for England, Wales and Ireland shall be kept. Whither merchandises of the staple shall be carried, and what custom shall be paid for them.

FIRST, That the staple of wools, leather, woolfels, and lead, growing or coming forth within our said realm and lands, shall be perpetually holden at the places underwritten; that is to say, for England at Newcastle upon Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter and Bristol: (2) for Wales, at Kaermerdyn: (3) and for Ireland at Devylen, Waterford, Cork and Drogheda, and not elsewhere. (4) And that all the said wools, as well old as new, woolfels, leather and lead, which shall be carried out of the said realm and lands, shall be first brought to the said staples, and there the said wool and lead betwixt merchant and merchant, or merchant and others, shall be lawfully weighed by the standard. (5) And that every sack and sarpler of the same wools so weighed, be sealed under the seal of the mayor of the staple. (6) And that all the wools so weighed and sealed at the staple of York, Lincoln, Norwich, Westminster, Canterbury and Winchester; and also leather, woolfels, and lead which shall come there, (the customs of the staple thereof paid,) shall be witnessed by bill, sealed with the seal of the mayor of the staple, and brought to the ports underwritten, that is to say, from York to Hull, from Lincoln to saint Botolf, from Norwich to great Yarmouth, from Westminster to London, from Canterbury to Sandwich, and from Winchester to Southampton. And there the said wools and lead shall be another time weighed by our customers assigned in the same ports. (7) And all the wools and lead brought to the said ports of Newcastle, Chichester, Exeter, Bristol, Kaermerdyn, Devylen, Waterford, Cork and Drogheda, where the other staples be holden, shall be but once weighed by the standard betwixt merchant and merchant, or merchant and other, in presence of our customers there. (8) And an indenture shall be made betwixt the mayor of the staple being in the port of the sea, and our customers there, of all the wools and lead so weighed, and also of all the leather and woolfels which shall come to the said staples to pass there, (9) and the

Co. Inst. 3 par. 95.
At which towns the staple of wool, leather, fells and lead for England, Wales and Ireland, shall be holden.
St. 43. Ed. 3. c. 1.
14 R. 2. c. 1.

Merchandise of the staple carried from staple towns to Port-towns.

An indenture shall be made between the mayor of the staple and the customer, of the

all the wool and lead weighed. The several customs of merchandises of the staple to be paid by denizens and allens. Merchants aliens, and not the King's subjects, shall transport beyond the sea, wool, &c.

the same wools and lead, and also the leather and woolfels, customed and cocketed, and the customs thereof duly paid to our said customers in all the said ports; that is to say, of denizens for the time that they have passed, half a mark of a sack of wool, half a mark of three hundred woolfels, a mark of a last of leather; (10) and of aliens ten shillings of a sack of wool, ten shillings of three hundred woolfels, and twenty shillings of a last of leather, and three pence for every sow of lead: (11) then the said merchandises shall be carried by merchants strangers, which have bought the same, and not by *Englisbmen*, *Welshmen*, nor *Irishmen*, to the parts beyond the sea out of the said realm and lands, to what parts it shall please the said merchants strangers. (12) And that the said mayor and customers shall delay no man willingly for gain, nor for such cause, nor in other manner shall any thing take of any person to do that which pertaineth to their office, upon pain of imprisonment, and to pay the party the double of that which they have so taken, and also of that which the party shall be endamaged because of such taking or delay, and moreover be ransomed at our will, but shall hold them content of that which they did take in certain to do their office. (13) And that the mayor of the staple and customers take an oath of all the merchants which so shall pass with wools, leather, woolfels and lead, that they shall hold no staple beyond the sea, of the same merchandises.

Every merchant stranger shall be sworn to hold no staple beyond the sea.

CAP. II.

Merchants strangers may come into, and depart forth of the realm with their goods, and none of them shall be taken by the King's purveyors.

A safe conduct granted to merchant strangers to come and dwell in this realm, and to return when they will, and none of their goods shall be taken by the King's purveyors without their consent.

ITEM, to replenish the said realm and lands with money and plate, gold and silver, and merchandises of other lands, and to give courage to merchant strangers to come with their wares and merchandises into the realm and lands aforesaid, (2) we have ordained and established, That all merchants strangers, which be not of our enmity, of what land or nation that they be, may safely and surely under our protection and safe conduct come and dwell in our said realm and lands where they will, and from thence return with their ships, wares and all manner of merchandises, and freely sell their merchandises at the staple and elsewhere within the same realm and lands, to any that will buy them, paying the customs thereof due. (3) And more to assure the merchant strangers and others bringing goods and merchandises within the said realm and lands, we will and grant for us and for our heirs and subjects, That nothing shall be taken over the customs aforesaid, nor taken of them to our use by colour of sale, nor in other manner against their will, nor by the ministers of us or of our heirs: nor by the ministers of any of the prelates, dukes, earls, barons, lords nor ladies, nor of any other great nor small. (4) And if any minister or other, by colour of his office, or in other manner take any thing of them against their agreement, he shall be incontinently arrested by the mayor and

and bailiffs of the place, if it be out of the staple, or by the mayor or ministers of the staple if it be within the staple: (5) and speedy and ready process shall be against him from day to day, and from hour to hour, according to the law of the staple, and not at the common law, as well out of the staple as within, at every man's complaint that so shall be grieved. (6) And if he be thereof attainted, he shall pay to the merchant the double of that which he hath taken, and as much to us. (7) And that no commission be made to take such prises of the said merchants; and if any commission be made, it shall be holden for none.

CAP. III.

All persons may buy wools, fells, &c. so that they bring them to the staple. It shall be felony for an English, Welsh, or Irish merchant to transport wool, &c.

ITEM, we will and grant, That all merchants, as well aliens as denizens, may buy wools, leather, woollfells and lead, through our realm and lands, without covin or collusion to abate the price of the said merchandises. So always that they bring the same to the staples, (2) and that no merchant, *English, Welsh* nor *Irish*, shall carry any manner of wools, leather, woollfells or lead out of the said realm and lands, upon the pain of life and member, and of forfeiture of the said merchandises, and of all other their goods and chattels to us, and of forfeiture of all their lands and tenements to the chief lords. (3) And the chief lords shall have a writ of escheat in the case. (4) And that no strange merchant by covin betwixt them and *English, Irish* or *Welsh* merchants shall carry out of the realm and lands aforesaid, the said wares and merchandises to the profit of *English, Irish* or *Welsh* merchants, in part or in all. (5) Nor that any merchant, *English, Irish*, or *Welsh*, nor other, make covin or collusion with merchants strangers, to carry their wools, leather, woollfells or lead, to the parts beyond the sea, out of the realm and lands aforesaid, under the name of merchants strangers, nor shall send nor hold their servants, or other their attorneys in the parts beyond the sea, out of our said realm and lands, to sell or to survey the sale of their said wools, leather, woollfells and lead there, or to receive the money coming of the sale of the said wools, leather, woollfells and lead. (6) Nor that any *Englishman, Irishman*, or *Welshman*, by himself nor by other, take payment of gold nor of silver, nor of other thing in recompence or commutation, or in the name of payment in the parts beyond the sea out of the realm and lands aforesaid, of merchandises sold in *England, Ireland* or *Wales*, touching the staple, but all such payment shall be made in gold or silver or merchandise in *England Ireland* or *Wales*, where the contract was made, upon the forfeitures and pains next aforesaid. (7) Nor that the merchants strangers nor denizens make betwixt them privily nor apertly, any company or confederacy in fraud or deceit of this ordinance, nor that any maintain the same for gain, nor in

All merchants may buy merchandises of the staple, so that they bring them to the staple. It shall be felony for an English, Welsh, or Irishman to transport wool, fells, leather, or lead. 28 Ed. 3. c. 13. 36 Ed. 3. c. 11. 38 Ed. 3. c. 6. 43 Ed. 3. c. 1. 14 R. 2. c. 5. No English man, &c. shall transport wool, &c. in a stranger's name, nor keep a servant beyond the sea, to survey the sale of wool, &c. There shall be no exchange of wares for merchandises of the staple, but payment in silver, &c.

Every man
may carry his
own wool, &c.
to the staple to
sell.

Warranty of
packing of
wool.

other manner do to any such fraud or deceit upon the same pains and forfeitures. (8) And always it is to be understood, that every *Englisbman* *Irishman* or *Welshman*, may freely bring their own wools, leather, woollfells and lead, to the staple to sell there, without being compelled to sell them in the country. (9) And that every merchant that shall sell his wools at the staple be bound to warrant the packing of the same wools.

CAP. IV.

None going unto, or returning from the staple, shall be disturbed by purveyors.

None going to
or coming
from
the staple, shall
be disturbed
by the King's
purveyors.

ITEM, forasmuch as no staple may be profitable for us and for our said realm and lands, unless it be free: (2) we will and grant for us and for our heirs, for the maintenance of the said staple, that all manner of people may come with their carriage and goods to the staple, and from the same return freely, without being disturbed by prises of us or of any other: saving to us and to our heirs all manner of prises royal, of all manner of carriages and victuals through all our said realm and lands of old times due and used of right, as have been made by us and by our ancestors in time past. (3) And every carrier returning from the staple, shall have a bill under the seal of the mayor of the staple, whereby it may be known that he serveth the staple, containing the journeys which he needeth for his return to the house, which bill shall be freely granted to him. And the same mayor shall be sworn that he shall make no such bill for any other than which serveth the staple. (4) And if any such carrier, carts, ships, beasts, or other thing, which serveth for carriage of that which pertaineth to the staple, be taken, and be within the verge out of the staple, huy and cry shall be levied upon the takers, and the takers shall be presently apprehended by people of the town where the prise was made, or by people of another town, if they be lacking, and brought before the steward and marshal of our house: and there ready punishment shall be made of them, according as the deed requireth. (5) And if any such prise be made out of the verge, huy any cry shall be levied, and the takers shall be taken and arrested by the town where such prises shall be made, or by other towns near, if they be lacking, and brought to the next gaol, and there to be done of them as of felons, if the deed the same require. (6) And in case that the people of such towns be negligent, and will not pursue and arrest such takers as before is said, the four towns next shall answer of the damages that may be found before them whom we shall thereto assign, that the plaintiffs have incurred by their default, if they cannot reasonably excuse themselves thereof. (7) And if such prises be made in a place where the staple is, the takers shall be arrested by the mayors and ministers of the staple, and right done to the plaintiffs by the said mayors and ministers. (8) So always, that if such prise be made at the staple, and the staple be within the verge, and the takers arrested be of one house, then right shall be done of them by the mayor and ministers of the staple. (9) And the steward and marshal of

What penalty
shall be
inflicted, and
by whom, up-
on those that
take the goods
of the staple.

our

our houle, or the fteward's lieutenant fhall be thereto called, if they will be there, to fee that right be done of the faid takers according to the law of the ftaple. (10) And in cafe they come not, the mayor and minifters of the ftaple fhall proceed in the procefs, and do juftice according to the law of the ftaple, notwithstanding the not coming of the fteward or marſhal, or lieutenant aforeſaid.

CAP. V.

None of the King's juftices fhall take cognifance of things belonging to the ftaple.

ITEM, In cafe that our bench or common bench, or juftices in eyre, or juftices of aſſiſe, or the place of the marſhalſea, or any other juftices come to the places where the faid ftaples be, the faid juftices nor ftewards, nor marſhals, nor of other the faid place, fhall have any cognifance there, of that thing which pertaineth to the cognifance of the mayor and minifters of the ftaple.

None of the King's juftices fhall take cognizance of thoſe things that do belong to the ftaple.

CAP. VI.

None of the King's officers fhall meddle where the ftaples be.

ITEM, we will and defend, That no marſhal nor other miniſter of our houle, or of others, fhall make livery, nor meddle in the places where the ftaples be holden and kept, nor with the houſes where the faid merchants or their people, or wools, or other merchandiſes of the ftaple be lodged, nor enter into the ſame to execute their office there, nor take any thing thereof to ſpare any, upon pain to make gree to the party at whoſe ſuit he fhall be attained, of the quatreble of that which the plaintiff fhall be endamaged, and further fhall be grievouſly puniſhed by us.

None of the King's officers fhall meddle in the places where the ftaples be holden.

CAP. VII.

Licences granted to carry merchandiſes forth of the realm fhall be void.

ITEM, we will and grant, That no licence or privilege to make paſſage by *Engliſhmen, Irifhmen, or Welſhmen*, of wools, leather, woolfells or lead, out of the ſame realm, and lands, ſhall be granted by us or our heirs againſt this ordinance. (2) And if any be granted to the contrary, they ſhall be holden for none. (3) And they ſhall give no warranty, nor excuſe to them, which ſhall cauſe to be paſſed the faid merchandiſes, that they ſhall not incur the pains and forfeitures contained in the ſaid article.

If any licence ſhall be granted to transport &c. contrary to this ſtatute, it ſhall be void. 3 Bulſtr. 21.

CAP. VIII.

The juuriſdiction of the mayor and conſtables of the ftaple. All people of the ftaple ſhall be ruled by the law-merchant, and not by the common law.

ITEM, we have ordained and eſtabliſhed, That the mayors and conſtables of the ftaple ſhall have juuriſdiction and cogniſance within the towns where the ftaples ſhall be, of people, and

The juuriſdiction of the mayor and conſtables of

the staple and
of what things
and between
what perfons
they may hold
plea.

of all manner of things touching the staple. (2) And that all merchants coming to the staple, their fervants and meiny in the staple, fhall be ruled by the law-merchant, of all things touching the staple, and not by the common law of the land, nor by ufage of cities, boroughs, or other towns; (3) and that they fhall not implead nor be impleaded before the juftices of the faid places in plea of *debt*, *covenant* and *trespafs*, touching the staple, but fhall implead all perfons of whom they will complain, as well fuch as be not of the staple, as thofe that be of the staple, which fhall be there found. (4) And in the fame manner they fhall be impleaded only before the mayor and juftices of the staple, which fhall be thereto deputed of all manner of pleas and of actions, whereof the cognizance pertaineth to the minifters of the staple. (5) So always that all manner of contracts and covenants made betwixt merchant and merchant, or other, whereof the one party is a merchant or minifter of the staple, whether the contract or covenant made, be within the staple or without, and alfo of *trespaffes* done within the staple to merchants, or to minifters of the staple by other, or by any of them to other; the party plaintiff fhall chufe whether he will fue his action or quarrel before the juftices of the staple by the law of the staple, or in other place of the common law: and he fhall be thereto received: (6) fo alway that in the pleas touching any of our houle, the fteward or his lieutenant, and the marfhals of our houle fhall be with the mayor of the staple, to fee that right be done to the parties as before is faid, if they will be there. (7) But pleas of land and of frechold fhall be at the common law. (8) And if merchants or their people being in the staple, becaufe of the fame do commit felony or be flain, robbed or maimed by any perfons, the mayor of the staple and other meet perfons fhall be affigned juftices, to hear and determine the faid felonies and maims within the staple without delay, according to the common law. (9) And if any fuch felon or *trespaffer* be taken or detained within any franchise to whomsoever the fame be, becaufe of fuch felony or maim done within the staple, it fhall be prefently commanded by writ, to caufe the faid felon, or him that did the maim, to come before the faid juftices, to do right of him in form aforefaid. (10) And if they that have fuch prifoners in ward, will not deliver them, they fhall incur the pain of an *c.l.* to us. And neverthelefs they fhall deliver the body in the form aforefaid. (11) And in cafe that any indictment be made out of the staple, of felonies or *trespaffes* done by people of the staple, or by other to them within the staple, the fame indictment fhall be fent before the faid mayor, and them which fhall be affigned juftices with him, to do right in this party. (12) And if the plea or debate be made before the mayor of the staple, betwixt the merchants or minifters of the fame, and thereupon to try thereof the truth, an inqueft or proof is to be taken: we will that if the one party and the other be a ftranger, it fhall be tried by ftrangers: (13) and if the one party and the other be *Denizens*, it fhall be tried by *denizens*: (14)

Pleas of land
felony or
maim done
within the
staple.

Where the
tryal of a fuit
in queftion
fhall be by
denizens, and
where by *medietatem lin-*
guæ.

28 Ed. 3. c. 13.
8 H. 6. c. 19.

and

and if the one party be denizen, and the other an alien, the one half of the inquest or of the proof shall be of denizens, and the other half of aliens.

CAP. IX.

The effect of a recognisance knowledged in the staple for recovery of a debt.

ITEM, to the intent that the contracts made within the same staple shall be the better holden, and the payments readily made: (2) we have ordained and established, That every mayor of the said staples shall have power to take recognizances of debts, which a man will make before him, in the presence of the constables of the staple, or one of them. (3) And that in every of the said staples be a seal ordained, remaining in the custody of the mayor of the staple, under the seals of the constables, (4) and that all obligations which shall be made upon such recognizance, be sealed with the said seal, paying for every obligation of an c.li. and within, of every li an ob. and of every obligation above a c.li a q. (5) And that the mayor of the staple by virtue of the same letters so sealed, may take and hold in prison the bodies of the debtors after the term incurred, if they be found within the staple, till they have made gree to the creditor of the debt and damages. (6) And also arrest the goods of the said debtors found within the said staple, and deliver the said goods to the said creditors, by true estimation, or to sell them at the best that a man may, and deliver the money to the creditors until the sum due. (7) And in case that the debtors be not found within the staple, nor their goods to the value of the debt, the same shall be certified in the chancery under the said seal, (8) by which certification a writ shall be sent to take the bodies of the said debtors, without letting them to mainprise, and to seize their lands and tenements, goods and chattles. (9) And the writ shall be returned in the chancery, with the certificate of the value of the said lands and tenements, goods and chattles. (10) And thereupon due execution shall be made from day to day, in manner as it is contained in the statute merchant, so that he to whom the debt is due, shall have estate of freehold in the lands and tenements, which shall be delivered to him by virtue of the same process, and recovery by writ of *Novel disseisin*, in case if he be outed. (11) And that the debtor have no advantage of the quarter of a year which is contained in the said statute-merchant. (12) And in case that no creditor will have letters of the said seal, but will stand to the faith of the debtor, if after the term incurred he demand the debt, the debtor shall be delivered upon that faith.

The effect of recognizance for the recovery of debts acknowledged before the mayor and constables of the staple.

In what manner execution shall be made of the statute staple.

Execution awarded out of the chancery if the debtor have not sufficient in the staple. Regist. fo. 151. 289. Fitz N.B.f. 131. 178. C. 267.

What estate the creditor shall have in the debtors land extended. 13 Ed. 1. stat. 3. c. 1. 15 R. 2. c. 9. 23 H. 8. c. 6.

CAP. X.

There shall be but one weight, measure and yard through the realm.

ITEM, because we have perceived, that some merchants do buy *avoir de pois*, wools and other merchandises by one weight, and sell by another, and make also deceitful draughts

There ſhall be
one weight, one
measure, and
one yard
through all
the land.

The penalty
of him which
doth not
weigh by
equal ballance
9 Hen. 3.
ſtat. 1. c. 25.
14 Ed. 3.
ſtat. 1. c. 12.
9 Hen. 5. c. 8.
8 H. 6. c. 5.
11 H. 7. c. 4.
26 Car. 2. c. 19.

upon the weight, and alſo uſe falſe meaſures and yards, in great deceit of us and all the commons, and of lawful merchants: (2) we will and eſtabliſh, that one weight, one meaſure, and one yard, be through all the land, as well out of the ſtaple as within. (3) And that wools, and all manner *avoir de pois*, be weighed by the ballance, ſo that the tongue of the ballance be even, without bowing to the one ſide or to the other, or without putting hand or foot, or other touch making of the ſame. (4) And that he which doth againſt the ſame, to the damage of the ſeller, ſhall forfeit to us the value of the merchandiſe ſo weighed and meaſured. (5) And the party that will complain him, ſhall have the quatreble of that which he ſhall be indamaged. (6) And the trefpaſſer ſhall have one year's imprifonment, and be ranſomed at the King's will. (7) And thereupon juſtices ſhall be aſſigned to require of ſuch trefpaſſes at all times that ſhall be needful, and to do right as well at our ſuit as at the ſuit of other that hereof will complain.

C A P. XI.

The penalty for foreſtalling of merchandiſes before they come to the ſtaple.

It ſhall be felony to foreſtal, buy, or give earneſt for any merchandiſes before they come to the ſtaple or port, or to go into the ſhip for that cauſe.
28 Ed. 3. c. 13.

ITEM, we have ordainèd and eſtabliſhed, that all merchants, aliens and denizens, and other that do bring wines and other wares or merchandiſes whatſoever they be to the ſtaples, cities, boroughs, and good towns, or to ports of the ſea within our ſaid realm and lands, may ſafely and without challenge and impeachment of any ſell them in groſs or at retail, or by parcels at their will, to all manner of people that will buy the ſame. (2) And that no merchant, privy nor ſtranger, nor other of what condition that he be, go by land nor by water toward ſuch wines, wares, or merchandiſes, coming into our ſaid realm and lands in the ſea, nor elſewhere, to foreſtal or buy them, or in other manner, to give earneſt upon them before that they come to the ſtaple, or to the port where they ſhall be diſcharged, nor enter into the ſhips for ſuch cauſe, till the merchandiſes be ſet to land to be ſold, upon the pains and forfeitures contained in the ſame third article aforeſaid.

C A P. XII.

The penalty of ſelling wool, &c. to a Scottiſhman to be carried into Scotland.

Felony to carry any wool, &c. into Scotland, or to ſell them to a Scottiſhman.

ITEM, That no merchant, privy nor ſtranger, nor other, ſhall carry out of our realm of *England* wools, leather, or woolſells to *Berwick* upon *Tweed*, nor elſewhere, nor into *Scotland*, nor that any man merchant nor other, of what condition that he be, ſell his wools, woolſells or leather, to any man of *Scotland*, nor to any other to carry into *Scotland*, upon the pains and forfeitures contained in the ſaid third article.

C A P. XIII.

A remedy where a merchant's goods be robbed or perished on the sea.

ITEM, we will and grant, That if any merchant, privy or stranger, be robbed of his goods upon the sea, and the goods so robbed come into any parts within our realm and lands, and he will sue for to recover the said goods, he shall be received to prove the said goods to be his own by his marks, or by his chart or cocket, or by good and lawful merchants, privy or strangers. (2) And by such proofs the same goods shall be delivered to the merchants, without making other suit at the common law. (3) And in case that any ships going out of the said realm and lands, or coming to the same, by tempest or other misfortune, break upon the sea-banks, and the goods come to the land, which may not be said wreck, they shall be presently without fraud or evil device delivered to the merchants to whom the goods be, or to their servants, by such proof as before is said, paying to them that have saved and kept the same, convenient for their travel; that is to say, by the discretion of the sheriffs and bailiffs, or other our ministers in places guildable, where other lords have no franchise; and by the advice and assent of four or six of the best or most sufficient discreet men of the country, (4) and if that be within the franchise of other lords, then it shall be done by the stewards and bailiff, or wardens of the same franchise, and by the advice of four or six discreet men of the country, as afore is said, without any delay.

C A P. XIV.

Merchants may bring in gold or silver to the King's exchanges, and carry out as much.

ITEM, we have ordained, That all merchants privy and strangers, may safely carry and bring within our said realm and lands, plate of silver, and billets of gold, and all other manner of gold, and all money of gold and silver to our bullion, or to our exchanges, which we shall cause to be ordained at our said staples, and elsewhere, taking their money of our coin of gold and silver convenient to the value. (2) And if any will take good money of gold and silver of other coin than of ours in payment, he shall take the same without impeachment, so that none be thereunto compelled if he will not take it of his good will.

II. Provided always, That no money have common course within our said realm and lands, but the money of gold and silver of our coin. (2) And that none carry out of our said realm and lands the old sterling, nor other money but our new money of gold and silver, except the merchants strangers that bring to our said realm and lands any manner of money, and there will employ this money within our realm and lands: whom we will that they may re-carry into their country all this money, or as much

How merchants robbed on the sea, whose goods be brought in to this realm, shall be relieved. *Bulfr. 28.*
Ships perished on the sea.

Poph. 149.
Merchants may bring in gold or silver in money or bullion to the King's exchanges, and carry forth as much new money.

ney, but not old
sterling.

much as shall remain thereof not employed without impeachment: so always that good and lawful search be thereof made in the ports, and other places where any arrival is. (3) And that all the money that every merchant-stranger shall bring within our said realm and lands, shall be put in writing by the searchers, to the intent that no merchant shall carry more beyond the sea than he brought into the same realm and lands.

All false mo-
ney shall be
forfeited to the
King.

III. Provided always, That no minister nor other by colour of such search, shall make impeachment or disturbance to any merchant-stranger to grieve him unduly. (2) And that all the false money that may be found by search, or in other manner espied within the same our realm and lands in deceit of our good money, shall be forfeited to us, according to the ordinances another time thereof made.

C A P. XV.

Indentures shall be made between carriers of wool by the water, and the bailiffs of towns where they load them; which carriers shall be sworn and bound to carry them to the staple.

Indentures
shall be made
between car-
riers of wool
&c. to the sta-
ple by fresh
water, or arms
of the sea, and
the bailiffs of
towns where
they ship
them.

ITEM, we will and establish, That they that have wools, leather, fells, and lead in the country betwixt the places where the staples be and the sea, and the same will cause to be carried to the staples by fresh waters, or by arms of the sea, shall make indenture betwixt them and the bailiffs of the towns where they put them in ship, testifying how much wools, leather, fells, and lead is so put in ship. (2) And the bailiffs of the places shall take an oath and sufficient surety, for which they will answer, of them and the mariners, that they shall go with the same wools, leather, fells, and lead to the staple, and no part elsewhere, and there shall discharge before they do enter the sea. (3) And that the bailiffs send presently the one part of the indenture containing the surety and the quantity of the wools, leather, woolfels and lead, to the mayor of the staple, at their costs that owe the goods, by some man for whom they will answer, (4) And if any mayor, bailiffs, or other minister of the places where such merchandises shall be charged, suffer the said merchandises to pass in other manner, as well the mayors, and bailiffs and ministers aforesaid, as the merchants which the same shall charge, shall incur the pains and forfeitures contained in the said third article,

C A P. XVI.

Houses shall be set for reasonable rents in staple-towns, imposed by the mayor, &c.

Reasonable
rents shall be
imposed upon
houses provi-
ded for the
staple by the
mayor &c.

ITEM, That in every town where the staple shall be holden, shall be ordained certain rews and places, where the wools, and other merchandises shall be put; (2) and because that the lords, or guardians of the houses and places (seeing the necessity of merchants) do set percase their houses at too high ferm: (3) we have ordained, That the houses which be to be leased in such manner

manner, shall be set at a reasonable ferm, according to the ordinance of the mayor and constables of the staple, and of four discreet men of the best of the town where the staple is, which shall be sworn in the presence of the said mayor and constable, to make a lawful tax; so that for default of houses, the staple shall not be impeached. (4) And that no man that bringeth his wools or other merchandises there, be disturbed to lodge the same wools or other merchandises in the houses which they have so hired.

CAP. XVII.

A merchant-stranger shall not be impeached for another's debt but upon good cause. Merchants of enemies countries shall sell their goods in convenient time, and depart.

ITEM, That no merchant-stranger be impeached for another's trespass, or for another's debt, whereof he is not debtor, pledge, nor mainpernour: (2) provided always, That if our liege people, merchants or other, be indamaged by any lords of strange lands or their subjects, and the said lords (duly required) fail of right to our said subjects, we shall have the law of marque, and of taking them again, as hath been used in times past, without fraud or deceit. (3) And in case that debate do rise (which God defend) betwixt us and any lords of strange lands, we will not that the people and merchants of the said lands be suddenly subdued in our said realm and lands because of such debate, but that they be warned, and proclamation thereof published, that they shall void the said realm and lands with their goods freely, within forty days after the warning and proclamation so made. (4) And that in the mean time they be not impeached nor let of their passage, or of making their profit of the same merchandises if they will sell them. (5) And in case for that default of wind, or of ship, or for sickness, or for other evident cause, they cannot avoid our said realm and lands within so short a time, then they shall have other forty days, or more if need be, within which they may pass conveniently, with selling their merchandise, as afore is said.

CAP. XVIII.

Merchants of Ireland or Wales may bring their merchandises to the staples of England.

ITEM, because we do well perceive, That merchants-strangers do not come so commonly into *Ireland* nor into *Wales* for to merchandise as they do into *England*, (2) we will of our special grace, that it shall be lawful to the people of *Ireland* and *Wales*, which cannot utter their wools, leather, woollfells; and lead in *Ireland* and *Wales*, to all merchants-strangers to come with their said merchandises, after that they be customed and cocketed in *Ireland* and in *Wales*, to any of our staples in *England* which them shall please, bringing their cockets, witnessing their merchandises, which they shall discharge at the staples in *England*: (3) so

1 Inst. 205.
One merchant's goods shall not be seized for another's debt, but upon cause.
Law of marque.
Merchants of enemies countries shall have convenient time by proclamation to sell their goods, and to depart.
4 H. 5. c. 7.

Merchants of Ireland and Wales which cannot sell their wool, &c. there, may bring the same to any of the staples of England.

It shall be felony for any Welsh or Irish men to carry their wool, &c. to any other place saving to the staple.

(3) so that they when they shall come to the staples in *England*, or they that bought their said merchandises of them, shall not pay another time custom nor subsidy for the said merchandises so customed in our said lands of *Ireland* and *Wales*. (4) And our treasurer, and the barons of our exchequer of *England*, shall be certified two times by the year at the least; that is to say, at *Easter* and *Micbaelmas*, how much wools, leather, woollfells, and lead shall pass out of the said land of *Ireland*, and of the custom thereof paid. (5) And in case that the merchants or other people of *Ireland* or of *Wales* after that they be in the sea with their said merchandises, do pass to any place other than to the staples in *England*, they shall incur the pains and forfeitures in the said third article.

CAP. XIX.

None shall lose his goods by his servants offence. Speedy justice shall be done from day to day, and from hour to hour.

No merchant shall lose his goods for the offence of his servant.

Speedy justice shall be done to merchants from day to day, and from hour to hour.

ITEM, That no merchant nor other, of what condition that he be, shall lose or forfeit his goods nor merchandises for the trespass and forfeiture of his servant, unless he do it by the commandment or procurement of his master, or that he hath offended in the office in which his master hath set him, or in other manner, that the master be holden to answer for the deed of his servant by the law-merchant, as elsewhere is used. (2) And because that merchants may not often long tarry in one place for levying of their merchandises, we will and grant, that speedy right be to them done from day to day, and from hour to hour, according to the laws used in such staples before this time holden elsewhere at all times, when they will them complain of any, or that any will complain of them, so that the merchants be not by malice delayed for default of speedy remedy.

CAP. XX.

Merchants strangers taken in the King's protection; and for their wrongs shall recover double damages.

Merchants strangers shall have present remedy for any grievances done to them.

ITEM, because we have taken all the merchants strangers in our said realm and lands, into our special protection, and moreover granted to do them speedy remedy of their grievances, if any be to them done: (2) we have ordained and established, That if any outrage or grievance be done to them in the country, out of the staple, the justices of the place where such outrages shall be done, shall do speedy justice to them after the law-merchant from day to day, and from hour to hour, without sparing any man or to drive them to sue at the common law. (3) And if any be convicted, that he hath grieved the merchants so taken in our protection, he shall be punished by us for the contempt done to us, in as much as shall be judged to the merchants for their damages. And to the said merchants strangers their double damages shall be judged.

CAP.

CAP. XXI.

*A mayor and two conftables fhall be chofen yearly in every
ftaple-town : and their authority.*

ITEM, becaufe the ftaples cannot long continue, nor the ordinances thereof made and to be made, be kept, if good executors and juftices be not eftablifhed to make thereof good and ready execution : (2) we have ordained and eftablifhed, That in every town where the ftaple is ordained, a mayor good, lawful, and fufficient, fhall be made and eftablifhed, having knowledge of the law-merchant, to govern the ftaple, and to do right to every man after the laws aforefaid, without favour, paring, or grief doing to any. (3) And in every place where the ftaple is, fhall be two convenient conftables now at his beginning placed by us, to do that pertaineth to their office as in other ftaples is accuftomed ; and when they fhall be dead, or changed, then other fhall be chofen by the commonalty of the merchants of the faid places : (4) and that no mayor hold the office over one year, unlefs he be newly chofen by the commonalty of the merchants, as well of ftrangers as of denizens. (5) And that the faid mayor and conftables have power to keep the peace, and to arreft offenders in the ftaples for debt, trefpafs, or other contract, and them to put in prifon, and punifh after the law of the ftaple. (6) And a prifon fhall be ordained for the fafe keeping of them that fo fhall be imprifoned. (7) And the mayors, fheriffs, and bailiffs of the towns where the ftaple is, or adjoining to the ftaple, fhall be attending to the mayor and minifters of the ftaple, to do execution of their commandments, upon pain of grievous forfeiture : (8) and one lord or other of the moft fufficiency in the country where the ftaple is, fhall be assigned to be aidant to the mayor and minifters of the ftaple, to juftify difobedient perfons, which by the faid mayor and minifters cannot be juftified, and to maintain and counfel them when need fhall be to the good governance of the ftaple, and to redrefs at every man's complaint that which fhall be miftaken by the faid mayor or minifters, or other, and to do right to the complainants in this behalf.

There fhall be a mayor and two conftables in every ftaple town, and what by their office they may do.

II. And if any merchant will complain of the mayor or of the conftables, that they have failed of right, or fhewed favour againft reason to either of the parties, it fhall be fpeedily redreffed by the chancellor and our council without delay. Regit. 12.

III. And that the fame mayor and conftables do not, nor ordain any thing contrary to thefe ordinances, nor make interpretation nor exception to them, otherwife than the words do purport ; (2) but if there be any thing that is doubted, it fhall be fhewed to our council, and there declared by good advice.

C A P. XXII.

Correctors fhall be appointed in the ftaple-towns to make and record bargains.

Correctors fhall be appointed to make and record bargains between buyers and fellers.

ITEM, We have ordained, that in every place where the ftaple fhall be holden, there fhall be a certain number of correctors, as well of ftrangers as of privies, good people, fufficient, and having knowledge of fuch myftery, lawfully to make and record the bargains betwixt the buyers and the fellers, as hath been ufed in other ftaples holden in other places; (2) and that they find fufficient mainpernors before the mayor and conftables of the ftaple, lawfully to do that pertaineth to their office: (3) and if they be found in default, they fhall pay to him that is indamaged as much as his lofs fhall amount to: (4) fo that they meddle them not with any manner of merchandife for the time that they fhall abide in the office. (5) And that no man be constrained to have a corrector unlefs he will of his own good will, nor to pay any thing to any corrector unlefs he meddle of his bargain at his request.

C A P. XXIII.

The officers of the ftaple, and merchants repairing to it, fhall be fworn to maintain the ftaple, and the laws and customs of it.

Officers of the ftaple and merchants coming thither, fhall be fworn to be ordered and to maintain the laws of the ftaple.

ITEM, That a certain number of porters, packers, winders, workers, and other labourers of wools, and all other merchandifes, be fufficiently ordained for the place where the ftaple is; and they and the correctors, and all manner of officers of the ftaple, befides the conftables, fhall be fworn before the mayor of the ftaple, that they lawfully fhall execute their office, without fraud or deceit. (2) Alfo all merchants, aliens and denizens, coming to the faid ftaples becaufe of merchandife, fhall be fworn before the faid mayor and conftables, that they fhall be juftified by the fame mayor and conftables, according to the law and ufage of the ftaple, and fhall maintain as much as in them is the ftaple, and the laws and ufages of the fame, without fraud or deceit. (3) And the mayor and conftables fhall be fworn in the chancery to do lawfully that which pertaineth to them.

14 R. 2. c. 3.

C A P. XXIV.

Two merchants aliens fhall be chofen to be affociate in judgment to the mayor and conftables. And fix mediators of queftions between buyers and fellers fhall be chofen.

Two merchants aliens fhall be chofen to be affociate in judgment to the mayor

ITEM, we will and ordain, That the merchants ftrangers fhall chufe two merchants ftrangers, whereof the one towards the fouth, and the other towards the north, fhall be affigned to fit with the mayor and conftables of the ftaples where fome of thofe perfons chofen fhall come, to hear the complaints touching

ouching merchants aliens that shall be moved before the said mayor and constables at all times that any of the said persons chosen will be there, and to see that plain right be done to the said merchants aliens, so that the said mayor and constables shall not cease to proceed in their process, in case that those persons chosen come not thither. (2) And in case that debate arise betwixt them, upon the discussing of any plea or quarrel: the tenour of the same plea or quarrel shall be sent before the chancellor, and other of our council, to be determined there without delay. (3) And also six persons shall be chosen, that is to say, four aliens, whereof two shall be of *Almaine*, and two of *Lombardy*, and two of *England*, which shall be discreet men, and worthy of faith, and shall swear, that they shall well and lawfully execute their office, that is to say, that when and at what time any question or debate shall rise or come amongst merchants of any unreasonable wool, or undue packing according to the covenants made betwixt the sellers and the buyers, that the said persons, or four of them, may before the mayor of the staple and the officers, by their oath say and amend as reason will, and thereupon credence shall be given to them without any contradiction.

and constable of the staple.

Matters in question in the staple shall be decided by the chancellor and the King's council. There shall be six mediators of question chosen. Staple.

CAP. XXV.

It shall be felony to make any conspiracy which may return to the disturbance of the staple.

ITEM, we have ordained and established, That no merchant or other shall make confederacy, conspiracy, covin, imagination, or murmur, or evil device in any point, that may turn to the impeachment, disturbance, defeating, or decay of the said staples, or of any thing that to them pertaineth or may pertain: (2) and if any do, and thereof be attained before the mayor and ministers of the staple, or other whom we shall thereto assign, he shall incur the pains and forfeitures contained in the said third article.

It shall be felony to make any confederacy or conspiracy which may turn to the disturbance or the defeating of the staple.

CAP. XXVI.

Credit shall be given to letters, or the merchants oaths, of the value of their goods.

ITEM, Whereas it is contained in the charter of our grandfather, granted to the merchants strangers, and by us confirmed, that of merchandises which they shall bring into our said realm and land, and whereof three pence of the pound ought to be paid by the said merchants strangers, according to the same grant, faith and credence shall be given to them upon the value of the said merchandises by letters, which they may shew of the same goods of their lords and companions. (2) And if they have no letters, they shall be believed by their oath in this behalf. (3) And now of late it is done us and our council to understand by the complaint of the said merchants, that albeit they have letters testifying the value of their merchandises,

Credit shall be given to letters brought by merchants aliens, or to their oaths, of the value of their goods.

the fheriffs, mayors, bailiffs, and minifters of many places do constrain them to fwear for the faid merchandifes, againft the form of their faid charter, and neverthelefs after the oath made, unfeal their barrells, fardels and bales, for which they have taken their oath, and the fame let lie four or fix days fo unfealed before they will fee the fame, and fo they take away from the faid merchants the fale of their goods, to their great damage.

(4) We not willing that the merchants ftrangers that come with their merchandifes into our faid realm and lands, for the common profit of the fame, fhall be in fuch manner grieved, will, grant and eftablifh, That the faid charter be holden, and that the barrells, fardels, and bales, and the other goods of the faid merchants, for which they have fhewed their letters that be not fufpicious, or taken the oath as it is contained in the fame charter, prefently after the oath taken, or fuch letters fhewed, their goods fhall be delivered to them without delay, thereof to make their profit, without any thing taking of them over the cuftom of three pence of the pound; (5) fo that the fheriffs, mayors, bailiffs, or other minifters, fhall meddle no more of the fame goods, upon pain of imprifonment, and to pay to the party grieved by this caufe his quatreble damages, and as much to us; and upon the fame, right fhall be done in our chancery at every man's complaint.

CAP. XXVII.

The forfeiture of thofe which before this ftatute have tranfported their wools, &c.

The forfeiture of thofe which before this ftatute did tranfport wool, &c.

ITEM, we have ordained and eftablifhed, That all thofe that fhall be convicted that they have carried wools, leather, and woolfells to the parts beyond the fea, againft the defence and proclamation thereof made before the making of this ordinance, fhall be judged to prifon, and incur the forfeiture of the fame wools, leather, and woolfells fo paffed, and of all their other goods and chattels, and moreover be ransomed at our will.

CAP. XXVIII.

The liberties of the ftaple confirmed, notwithstanding the franchifes of others; but in fairs, markets, hundreds, leets, &c.

The liberties of the ftaple confirmed notwithstanding franchifes granted to corporate cities or towns.

Other men's liberties being in the ftaple faved.

ITEM, we will, grant and ordain, That all the faid things be firmly kept and holden in all points, notwithstanding franchise, cuftom, privilege, exemption, judgments, or other grants made to cities, boroughs, towns, commonalties, people of the five ports, and other ports, or any other fingular perfons whatfoever. (2) And in cafe that any thing be to be amended, added, changed, or withdrawn of any of the faid points in time to come for a true caufe, we will, that the fame be done by deliberation and advice of the great men and other of our council in the parliament: (3) faving in other things to the prelates, dukes, earls, barons, and other lords, their fairs, markets, hundreds, wapentakes, leets, jurisdictions, courts, franchifes; and privi-

privileges, and all other things to them pertaining in the places where the staples be, and shall be, and elfewhere, as far forth as they had them before that the staples were ordained.

C A P. XXIX.

The ordinance of the fveral fees of the mayors and conftables of the staple, in every city and town where the staple is ordained to be kept, and by what means the fame fhall be levied.

FOrasmuch as the staple is now of late ordained to abide perpetually in England, and at the beginning there was no evidence in certain, by which a man might assign or limit in certain that, that the mayors and conftables in the places, where the staples be ordained, ought to take by year in certain for their travail; but it was then assented by the lords and commons, That of every sack should be levied, eight pence for the first year, and delivered to the said mayor and conftables in the places where the said staples be assigned, which first year passed out at the gule of August last past. And now cometh as much wools, or well nigh as much, to the port of London, as do in all the other staples through the realm, and to some of the other staples cometh as much of wools, as to two or three of the other staples, so that to one staple cometh more, and to another less, so that the mayor and conftables of some places take too much, and in other places too little, and the people be very much charged to pay eight pence of a sack (as afore is said) having regard to the sum of the wools that passeth over the sea. And all the time that the said staple was abiding beyond the sea, he that is chosen mayor by the merchants of England, did take a certain by the year. And also it were reason that it should be so in England: and that in a reasonable manner, every man according to his travail, and that the people should not be so much charged: Wherefore it is ordained by the King and the great men, and by the advice of all the council, That no more shall be levied of a sack but four pence in no part from the gule of August last past hitherto, nor from henceforth. And that the four pence of the sack in every place where the staple is, shall be put in a box, and sealed with the seals of the mayor and conftables, to the intent that the said mayor and conftables may be thereof paid of their certain, that they shall take. And if at the end of the year, more be found in the box, than the fees of the said mayor and conftables shall amount unto, it shall be safely kept, to pay and perform the fees of the mayors and conftables in other staples, where the iiii. d. will not thereto suffice. And if any thing remain in the said boxes, after the fees paid, the same sum residue shall be saved to the common profit of the merchants of the staple for the year to come, and for to pay for the weights made of new, and also for payments and other things necessary touching the staple. And as much as is levied in all the places, where the staples be, over the said sum of iiii. d. of the sack, after the said gule of August last past, shall be rebailed and restored to the uses aforesaid. And the fees of the mayor and conftables be ordained and limited

Exedit. Raftal.

Fees for officers of the staple.

limited in the form as followeth, that is to say, the mayor of the staple of *Westminster* shall take C. li. and every of the constables there ten marks. The mayor of *York*, *Kingston upon Hull*, *Norwich*, and *Winchester*, every of them xx. li. and every of the constables of the said places a C. s. the mayor of *Newcastle upon Tyne*, *Chichester*, and of *Exeter* x. li. and every of the constables of those places, five marks. And if any of the mayors and constables above-named, refuse the office, he shall pay to the company as much as his fee shall amount to. *And proclamation of the same was made through England the sixth day, &c.*

Statutes made at *Westminster*, Anno 28 EDW. III.
and Anno Dom. 1354.

OUR lord the King, at his parliament holden at *Westminster*, the Monday next after the feast of St. Mark the evangelist, the year of his reign of England the eight and twentieth, and of France the fifteenth, to the honour of God and of holy church, and for the common profit of him and his people, by the assent of the prelates, the princes, dukes, earls, barons, and the commons of this realm there assembled, hath ordained and established the points underwritten.

NOSTRE seigneur le Roi a son parlement tenuz a *Weymonster* le Lundy prochain apres la feste de saint Marc lewangelist lan de son regne d'Engleterre vint & oetisme & de France quinzisme a lonour de Dieu & de seinte eglise & pur commune profit de lui & de son poeple de lassent dez prelatz princes ducs contes barons & la communalte de son roialme illoeqes assemblez ad ordene & establi les points souzscriptz.

CAP. I.

A confirmation of all statutes before made and used.

A confirma-
tion of former
statutes.

FIRST, That the Great Charter, and the Charter of the Forest, and all other statutes before this time made and used, be kept and maintained in all points.

PREmerement qe la grant chartre & la chartre de la foreste & touz autres estatutz avant ces heures faitz & usez soient gardez & meintenuz en touz pointz.

CAP. II.

Lords of the marches of Wales shall be attendant to the crown of England, and not to the principality of Wales.

Lords of the
marches shall
be attendant
on the crown
of England,
and not to the
principality of
Wales.

ITEM it is accorded and established, That all the lords of the marches of *Wales* shall be perpetually attending and annexed to the crown of *England*, as they and their ancestors have been all times past, and

ITEM acorde est & establi qe touz les seignurs de la marche de *Gales* soient perpetuellement entendantz & annexes a la corone d'Engleterre come ils & leur auncestres ount este de tout temps avant ces heures

es & noun pas a la prin- and not to the principality of
e de Gales en qi mains qe *Wales*, in whose hands ſoever
ne la principalte ſoit ou the ſame principality be; or
idra apres ſes heures. hereafter ſhall come.

CAP. III.

No perſon ſhall be condemned without his answer.

EM qe nul homme de I TEM, That no man of No man ſhall
uel eſtate ou condition qil what eſtate or condition that be condemned
e ſoit oſte de terre ne de ho be, ſhall be put out of land without his
ient ne pris nemprifone or tenement, nor taken nor answer.
ſherite ne mis a la mort imprifoned, nor diſinherited, 9 H. 3. ſtat. 1.
eſtre meſne en reſpons nor put to death, without being c. 29.
de proces de lei. brought in answer by due pro- 5 Ed. 3. c. 9.
ceſſ of the law. 25 Ed. 3. ſtat. 5.
c. 4.
16 Car. 1. c. 10.

CAP. IV.

the King ſhall be answered the meſne rates of lands coming to him by his tenant's death.

EM, becauſe that eſcheators and other the King's mi- How the King
ſters, which have made livery by the King's comman- ſhall be ſatis-
from his chancery, of the lands and tenements, that fied of the
taken into the King's hands by the death of the tenants, mean rates of
held of him, and the heirs and other, to whom the ſaid thoſe lands
and tenements ought to deſcend, revert, or remain, have which come to
charged in the exchequer of the ſerms and the rents where- his hands by
terms of payments were to come after ſuch livery made, the death of
rate and portion of the time that the ſaſe lands and his tenants.
ent's were in the King's hands: it is accorded and eſta-
l, That of manors, cities, boroughs, towns, hundreds,
iſes, and all other lands and tenements, whereof profit
iſe from time to time through the year, as of mills, herb-
oll, pleas, and profits of courts, and all ſuch iſſues and
, every eſcheator and other miniſter, which hath ſeiſed
unds and tenements to the King's uſe, ſhall be bound to
to the King for the rate and portion of the time, accord-
the old courſe of the exchequer. And that of ancient
and rents, which be to be paid at certain terms, as rent 12 Car. 1. c. 24;
and rent ſervice, whereof no profit riſeth till the day of
nt, ſuch ſerms and rents ſhall be paid to them, which
very out of the King's hand, at the terms of payments
ſaid ſerms and rents, which followeth after ſuch livery
as well of the time paſt, as of the time to come.

CAP. V.

No iron ſhall be carried forth of the realm.

M acorde eſt & eſtabli I TEM, it is accorded and By 5 & 6 W.
ſeer fait en Engleterre & eſtabliſhed, That iron made & M. c. 17.
reſne en Engleterre & in England, and iron brought Iron may be
s vendu ne ſoit meſne into England, and there ſold, freely export-
ed.
II. hors H ſhall

The penalty
for transport-
ing of iron.

shall not be carried out of the said realm of *England*, upon pain of forfeiting the double to the King; (2) and the justices assigned to enquire of labourers, and the other justices whom the King will thereto assign, shall have power to enquire of them that sell the iron at too dear a price, and to punish them after the quantity of the trespass.

hors du roialme d'Engleterre sur peine de forfaire le double devers le Roi & eient les justices assigniez denquere de labourers & autres justices queux le Roi vodra a ce assigner poer denquere de ceux qi vendent le teer a trop cher pris & de les punir selonc la quantite de trespas.

CAP. VI.

Who shall be coroners, and by whom and where they shall be chosen.

Who shall be
coroners, and
where they
shall be chosen.

ITEM, it is ordained and accorded, That all coroners of the counties shall be chosen in the full counties, by the commons of the same counties, of the most meet and most lawful people that shall be found in the said counties to execute the said office; (2) saved always to the King and other lords which ought to make such coroners, their seignories and franchises.

ITEM ordene est & establi que touz coroners des countees soient esliz en pleins countees par les communes de meismes les countees de plus convenables & plus loialx gentz que serroient trovez es ditz countees affaire le dit office sauve totes foitz au Roi & as autres seignurs qe tieux coroners deivent faire leur seignories & franchises.

1 Ed. 1. c. 10.
Rast. 133.

CAP. VII.

No sheriff shall continue in his office above one year.

No sheriff shall
continue in
his office a-
bove one year.

ITEM, it is ordained and established, That the sheriffs of the counties shall be removed every year out of their offices, so that no sheriff that hath been in his office by a year shall abide in the said office the year next following; and that no commission be made to him thereof, or renewed for the same year following.

ITEM ordene est & establi que les viscontes des countees soient remuevz chescun an hors de leur offices issint qe nul viscont qad este en son office par un an demberge en meisme l'office lan prochain ensuivant & qe nulle commission lui ent soit faite ou renovele pur meisme lan thant.

14 Ed. 3. stat. 1.
c. 7.
47 Ed. 3. c. 9.
23 H. 6. c. 8.

CAP. VIII.

An attaint shall be granted as well upon a bill as upon a writ of trespass.

An attaint
shall be grant-
ed as well up-
on a bill as
upon a writ
of trespass.

ITEM, it is accorded, That the writ of attaint shall be granted from henceforth as well

ITEM acorde est & establi que brief datteint soit granté desore sibien sur bille de trespas come

come sur brief de trespas des enquestes qe sont a prendre en temps avenir faunz avoir regard au quantite des damages.

well upon a bill of trespas, as upon a writ of trespas, of inquests which be to be taken in time to come without having regard to the quantity of the damages. 3 Ed. 1. c. 38. 1 Ed. 3. stat. 1. c. 6. 5 Ed. 3. c. 6, 7. 34 Ed. 3. c. 7. Rast. 84, &c.

CAP. IX.

No writ shall be directed to a sheriff to charge an inquest to indict any.

ITEM pur ce qe le poeple du roialme ad suffert plusieurs malx & meschiefs de ce qe viscontes de diverses contees par vertue des commissions & briefs generals a eux grantez a leur seute demesne pur leur singular profit de gagner du poeple ount fait & pris diverses enquestes de faire enditer les gentz a leur volonte & ount pris fins & raunceons de eux a leur oeps demesne & les ount delivres faunz ce qe tieux enditez feussent meinez devant les justices le Roi pur leur deliverance avoir acorde est & establi pur tieux malx & meschiefs escheure qe touz tieux commissions & briefs avant ces heures faitz soient outrement repellez & qe desore nulles tieux commissions ne briefs soient grantez.

ITEM, because the people of the realm have suffered many evils and mischiefs, for that sheriffs of divers counties, by virtue of commissions and general writs granted to them at their own suit for their singular profit to gain of the people, have made and taken divers inquests to cause to indict the people at their will, and have taken fine and ransom of them to their own use, and have delivered them, whereas such persons indicted were not brought before the King's justices to have their deliverance; (2) it is accorded and established, for to eschew all such evils and mischiefs that all such commissions and writs before this time made, shall be utterly repealed, and That from henceforth no such commissions nor writs shall be granted. No writ shall be directed to the sheriff to charge a jury to indict any. Cro. El. 371.

CAP. X.

The penalty of the mayor, sheriffs, &c. of London, if they do not redress errors and misprisions there; and in what counties the trial thereof shall be.

ITEM pur ce qe les erreurs defautes & mesprisions qe sont notoirement usez en la cite de Londres pur defaute de bone government du meire des viscontes & des aldermans ne purront estre enquis ne trovez par gentz de meisme la cite ordene est & establi qe les ditz meire viscontes & aldermans qe ount le gouvernement de la dite cite facent redrescer &

ITEM, because that the errors, defaults, and misprisions which be notoriously used in the city of London for default of good governance of the mayor, of the sheriffs, and the aldermen, cannot be enquired nor found by people of the same city; (2) it is ordained and established, That the said mayor, sheriffs, and aldermen, which have the governance of the same city, shall cause one there, The penalty of the mayor, sheriffs, &c. of London, which do not redress errors and misprisions there.

The trial of the defaults of the mayor, &c. of London, touching government ſhall be by inqueſt of foreign counties.

cause to be redreſſed and corrected the defaults, errors, and miſpriſions above named, and the ſame duly puniſh from time to time upon a certain pain: that is to ſay, at the firſt default a thouſand marks to the King, and at the ſecond default two thouſand marks, and at the third default that the franchise and liberty of the city be taken into the King's hand. (3) And be it begun to enquire upon them at St. Michael next coming, ſo that if they do not cauſe to be made due redreſs as afore is ſaid, it ſhall be enquired of their defaults by inqueſts of people of foreign counties, that is to ſay, of *Kent, Eſſex, Suffex, Hertford; Buckingham, and Berks*, as well at the King's ſuit as others that will complain.

II. And if the mayors, ſheriffs and aldermen be by ſuch inqueſts thereto aſſigned, indicted, they ſhall be cauſed to come by due proceſs before the King's juſtices, which ſhall be to the ſame aſſigned out of the ſaid city, before whom they ſhall have their anſwer, as well to the King as to the party. (2) And if they put them in inqueſts, the ſame inqueſts ſhall be taken by foreign people, as afore is ſaid. (3) And if they be attainted, the ſaid pain ſhall incur and be levied of the ſaid mayor, ſheriffs, and aldermen, for default of their governance; (4) and nevertheless the plaintiffs ſhall recover the treble damages againſt the ſaid mayor, ſheriffs, and aldermen. (5) And becauſe that the ſheriffs of *London* be parties to this buſineſs, the conſtable of the *Tower*, or his lieutenant, ſhall ſerve in the place

The conſtable or lieutenant of the Tower ſhall receive and execute the King's writs.

corriger les defautes erreurs & meſpriſions ſuivomez & les duement punir de temps en temps ſur certaine peine ceſt aſſavoir au premier default mille marcs au Roi & a la ſeconde default deux mille marcs & a la tierce default que la franchise de la cite ſoit pris en la main le Roi. Et ſoit comence denquere ſur eux a la ſeint Michel prochain avenir iſſint que ſils ne facent dues redreſcementz come deſus eſt dit ſoit enquis de leur defautes par enqueſtes de gentz de foreins contees ceſt aſſavoir de *Kent Eſſex Suffex Hertford; Buck; & Berk;* ſibien a la ſeute le Roi come dautres qi pleindre ſe vodront.

Et ſi les meire viſcontes & aldermans ſoient par tieux enqueſtez enditez ſoient faitz venir par due proces devant les juſtices le Roi qi ſerront a ce aſſignez dehors la dite cite devant queux ils eient leur reſpons ſibien au Roi come a la partie. Et ſils ſe mettent en enqueſtes ſoient celles enqueſtes pris par gentz foreins come deſus eſt dit. Et ſils ſoient atteintz ſoit la dite peine encurru & leve des ditz meire viſcontes & aldermans pur defaute de leur gouvernement & nientmeinz les pleintifs recoverent leur damages au treble vers les dits meire viſcontes & aldermans. Et par cauſe que les viſcontes de Londres ſont parties a ceſte buſoigne ſoit le conſtable de la tour ou ſon lieutenant miniſtre en lieu des viſcontes a recevoir les briefs ſibien originals de la chancellerie come judiciaux ſouz les ſealz des juſtices affaire ent execution en la dite cite. Et ſoit proces fait par attachementz & par deſtreſces & par exigende.

of

gende si mestiere soit issint qe a la seute le Roi soit lexicgende agarde apres le primer capias retourne & a le tierce capias retourne a seute de partie. Et si les meire viscontz & aldermans eient terres ou tenemenz dehors la cite soit proces fait devers eux par attachementz & destresces en meismes les contees ou les terres & tenemenz sont. Et qe chescun des ditz meire viscontz & aldermans qe vendra devant les dites justices respoigne singulerement pur lui meismes sibien au peril des autres qi sont absentez come de lui meismes. Et ceste ordenance soient tenue ferme & estable nient contrecsteant franchise privilege ou custumes queconques. Et se extend ceste ordenance as autres citees & burghs du roialme ou tieux defautes & mesprisons sont usez & nemiement corrigez ne redresceiz sauve qe les enquestes soient prises par gents foreins de meisme le countee ou tieles citees & burghs sont et qe la peine de ceux des citees burghs & villes qe de ce seront atteintz soit ajugge par discrecion des justices qe a ce ferront assignez.

of the sheriffs, to receive the writs, as well originals of the chancery as judicials, under the seal of the justices, to do thereof execution in the said city. (6) And process shall be made by attachment and distresses, and by exigent, if need be; so that at the King's suit the exigent shall be awarded after the first *capias* returned, and at the third *capias* returned, at the suit of the party. (7) and if the mayor, sheriffs, and aldermen have lands or tenements out of the city, process shall be made against them by attachments and distresses in the same counties where the lands or tenements be. (8) And that every of the said mayors, sheriffs, and aldermen which do appear before the said justices, shall answer particularly for himself, as well at the peril of other which be absent, as of himself. (9) And this ordinance shall be holden firm and stable notwithstanding any manner of franchise, privileges, or customs. (10) And this ordinance shall extend to all cities and boroughs of the realm, where such defaults or misprisons be used, and not duly corrected nor redressed; saving that the in-

What process shall be awarded in this suit.

This ordinance provided for London shall extend to all cities and boroughs.

31 Ed. 3. stat. 1. c. 10.
17 R. 2 c. 12.
1 H. 4. c. 15.

quests shall be taken by foreign people of the same county where such cities or boroughs be: (11) and that the pain of those of the said boroughs and towns, which shall be thereof attainted, shall be judged by the discrecion of the justices which shall be thereto assigned.

CAP. XI.

Fresh suit and buy and cry shall be made after robbers from country to country.

ITEM pur ce qe grant clamour & grevoules plaines sont faitz si bien par aliens come par denizens qe marchantz & autres passantz par-

ITEM, because that great clamour and grievous complaints be made, as well by aliens as by denizens, that merchants and other passing through the realm

of England with their merchandises and other goods, be ſlain and robbed, and namely now more than they were wont, whereof remedy hath not been made to the complainants; (2) our lord the King, conſidering the profit which may come to the ſaid realm by coming and abiding of the ſaid merchants aliens in the ſame realm, and the damage and miſchief which to them and other is done daily by ſuch manſlaughters and robberies, and willing to provide for the ſurety and indemnity of merchants and other aforeſaid, hath ordained and eſtabliſhed, by the aſſent of all his parliament, to the intent that merchants aliens ſhall have the greater will and courage to come into the ſaid realm of *England*, and that remedy from henceforth be ſpeedily made to ſuch merchants and other robbed, according to the form contained in the ſtatute late made at *Wincheſter*; that is to ſay, that ſolemn cry be made in all counties, hundreds, markets, fairs, and all other places where ſolemn aſſembly of the people ſhall be, ſo that none by ignorance ſhall excuſe him, that every country from henceforth be ſo kept, that immediately after felonies and robberies done, freſh ſuit be made from town to town, and from country to country, (3) and inqueſt, if need be, ſhall be alſo taken in the towns by him which is ſovereign of the town, and after in hundreds, franchiſes, and in the county, and ſometime in two, three, or four counties, in caſe when felonies ſhall be done in the marches of the counties, ſo that the offenders may be at-
tainted

mi le roialme d'Engleterre od leur marchandises & autres biens ſont tuez & derobbez & nieement ore plus qils ne ſoleient dount remedie nad eſte fait as compleignantz noſtre ſeignur le Roi conſiderant le profit qe purra avenir au dit roialme par venue & demoeere des marchantz aliens en meſme le roialme & les damages & meſchiefs qe a eux & autres ſont faitz de jour en autre par tieux homicides & roberies & veullant purvoir a la ſeurté & indemnité des marchantz & autres fuſditz ad ordene & eſtabli par aſſent de tout ſon parlement au ſin qe marchantz aliens eient greindre volunte & corage de venir en le dit roialme d'Engleterre qe remedie ſoit deſore fait haſtivement as tieux marchantz & autres iſſint derobbez ſolonc la forme contenue en leſtatut nadgairs fait a Wyncelſtre ceſt aſſavoir qe ſolempnement crie ſoit fait en toutz contees hundredes marchees feires & toutz autres lieux ou ſolempne aſſemblee de gentz ſerra iſſint qe nul par ignorance ſe puſſe excuſer qe cheſcune pais iſſint deſoremes ſoit garde qe maintenant apres robberies & felonies faites ſoit fait freſhe ſeute de ville en ville & de pais en pais & enqueſtes ſoient auxint ſi meſtiere ſoit priſes en villes par celui qe eſt ſovereign de la ville & puis en hundredes franchiſes & en contees & aſcune foitz en deux trois ou quatre contees en cas quant felonies ſerront faites en marches des contes. Iſſint qe meſſefours puſſent eſtre atteintz. Et ſi le pais de tieu manere de meſſefours ne reſpoigne la peine ſerra tiele qe cheſcune pais ceſt aſſavoir gentz en pais de-

3 Ed. 1. c. 9.
13 Ed. 1. ſtat. 2.
c. 1, 2.
Hue and cry
ſhall be levied,
and freſh ſuit
ſhall be made
after robbers
from town to
town, and
from country
to country.

rantz respoignent des
ries faites & des da-
s issint qe tout le hun-
ou la robberie serra faite
les franchises qe sont
la purceinte de meisme
ndred respoignent de la
rie faite & si la robberie
aite en divises de deux
redes respoignent ambe-
les hundredes ensemble-
od les franchises. Et
ong terme navera le pais
la robberie faite ou felo-
e quarant jours deinz les
il covient qils facent
la robberie ou del mes-
ou qils respoignent des
de meffours.

taunted. (4) And if the coun-
try do not answer of such offen-
ders, the pain shall be such,
that every country, that is to
say, the people dwelling in the
country, shall answer of the
robberies done, and of the da-
mages; (5) so that all the
hundred where the robbery
shall be done, or the franchises
which be within the precinct
of the same hundred, shall an-
swer of the robbery done; (6)
and if the robbery be done in
the division of two hundreds,
both hundreds shall answer to-
gether with the franchises. (7)
And longer term shall not the
country have after the robbery
or felony done, than forty

The penalty
of the coun-
try, if robbers
offending
therein be not
taken within
forty days.

within which them behoveth to make gree of the rob-
or of the offence, or that they answer of the bodies of 27 El.c.13.
fenders.

CAP. XII.

*in what time purveyances made for the King's house
shall be paid for.*

M, for that the mean people of the realm, and divers
iers have complained of the grievances done to them, be-
the purveyors of our lord the King, the Queen, and
Prince, and of other, have taken of them their goods,
s and victuals, and thereof have delivered them tallies,
ng to them a day and place to receive their payment at
n places and far off, where they dispended the value of
ing so taken of them, or the double, before that they
received their payment, and oftentimes have failed of all :
e King willing to provide a remedy against such grievances,
ordained and established, for the quietness and ease of his
; that of all purveyances which be or shall be made to
r to any others use, within the sum of twenty shillings,
nt shall be thereof made incontinently upon the purvey-
made without delivering any tally for any day or place
ere to be thereof assigned. (3) And that of other pur-
ces made to the sum of twenty shillings and above, pay-
shall be made within a quarter of a year then next fol-
; after such purveyances made, at certain days and places,
ing as it may be most for the ease and less travel of the

20.H.4.c.14.
20 H.6.c.8.
12 Car.2.c.24.

Purveyances
made to the
King's use
under xx s.
shall be pre-
sently paid
for, and all
above within
a quarter of a
year.

CAP. XIII.

The warrantie of packing of wool shall be put out. An inquest shall be de Medietate Linguae, where an alien is party.

27 Ed. 3. stat. 2.
F: 3.

ITEM, it is accorded and established, That all the ordinances made in the great council holden at *Westminster*, the *Monday* next after the feast of saint *Matthew* the apostle last past, together with certain declarations and additions made in this present parliament, be firmly kept and holden for a statute to endure for ever, which declarations and additions do follow in this manner: (2) *Whereas it is contained in the said ordinances, That every merchant that selleth his wools at the staple, shall be bound to warrant the packing of the same wools; (3) and if a plea of debate be moved before the mayor of the staple, betwixt the merchants or ministers of the same, and thereupon to try the truth thereof an inquest or proof shall be taken, then if both parties be aliens, it shall be tried by aliens; (4) and if both parties be denizens, it shall be tried by denizens; (5) but if the one party be denizen and the other alien, half of the inquest or of the proof shall be of denizens, and the other half of aliens. (6) And also that no merchant, privy nor stranger, nor other of what condition that he be, shall go by land nor by water to meet such ships charged with wines, wares, or other merchandises coming into the realm of England, nor other lands of the King's in the sea, or elsewhere, for to forestall, buy, or in other manner giving them earnest before that they come to the staple or to the port where they shall be* dis-

Ensément acorde est & established que totes les ordenances faites en grant conseil tenuz a *Westmonstre* le *Lundy* prochain apres la feste de saint *Matheu* l'apostle darrein passe ensemblement ove ascunes declarations & adjoustances faites en ceste present parlement soient fermement gardez & tenuz pur estatut a durer a touz jours queles declarations & adjoustances seussent en ceste manere come contenue soit en les dites ordenances que chescun marchant qui vend ses leines a le staple soit tenuz de garantir lempakkure de meismes les leines et que si ple ou debate soit meu devant le meire de le staple entre les marchantz ou ministres dycelle & sur ce pur trier ent la verite enqueste ou proeve soit apprendre si lune partie et lautre soit estrange soit trie par estranges & si lune partie & lautre soit denzin soit trie par denzeins & si lune partie soit denzeine & lautre aliene soit lune moite del enqueste ou del prove de denzeins & lautre moite des aliens. Et aussint que nul marchant prive ne estrange nautre de quele condition quil soit aille par terre ne par ewe dencontrer vins merces nautres marchandises venantz en la roialme d'Engleterre nen autres terres du Roi en meer naillours pur les forstaller acheter ou en autre manere arer avant quilz vieignent a le staple ou au port ou ils seront dischargez ne entre les niefs pur tiele cause

range

les marchandises ſoient
a la terre pur vendre
: eſt & eſtabli qe la gai-
dempakkure de laines
liuerſes meſchiefs qe la
iunalte en ad ſentu ſoit
it ouſte & qe nul homme
nuz affaire tiele garantie
ſoit par covenant taille
it enſele. Et auſſint qe
omme autre qe marchant
in ou alien qe ne conuſt
is & uſages de leſtaple
par aillours devant qe les
ordenances de leſtaple
nt faites ſoit chargee par
es les leis & uſages tanqe
ient declarrez en parle-

qe en tote manere den-
es & proeves qe ſont a
le ou affaire entre aliens
enzeins ſoient ils mar-
z ou autres ſibien devant
ire de leſtaple come de-
queconque autres juges
iiniſtres tout ſoit le Roi
: ſoit la moite del enqueſt
l prove de denzeins & lau-
moite des aliens ſi tantz
liens ſoient en la ville ou
ou tiele enqueſte ou prove
apprendre qe ne ſoient
parties ne od les parties
ontractes ples ou autres
les dount tieles enqueſtes
oves deivent eſtre pris &
tz des aliens ne y ſoient
adonques ſoient mis en
enqueſtes & proeves
des aliens come ſerront
z en meſmes les villes ou
qe a ce ne ſoient pas
es ne od les parties come
it eſt dit & le remanant
enzeins qe ſoient prodes
nes & nient ſuſpecionou-
lune partie ne a lautre.

qe nulle manere de nief
it frette devers Engleterre
illours ſoit arcte de venir
a nul

*discharged, nor enter the ſhips
for ſuch cauſe till the merchan-
diſes be ſet to land for to ſell :* (7)

It is accorded and eſtabliſhed,
That the warranty of packing
of wools, for divers miſchiefs
which the commons have there-
of perceived, ſhall wholly be out;
(8) and that no man be holden
to make ſuch warranty, un-
leſs it be by covenant made by
deed enſealed. (9) Alſo that
no man other than a merchant
denizen or alien, that know-
eth the laws and uſages of the
ſtaple, uſed before that the
ſaid ordinances of the ſtaple
were made, ſhall be charged
by the ſame laws and uſages
till they be declared in parla-
ment.

II. And that in all manner
of inqueſts and proofs which
be to be taken or made amongſt
aliens and denizens, be they
merchants or other, as well be-
fore the mayor of the ſtaple as
before any other juſtices or
miniſters although the King
be party, the one half of the
inqueſt or proof ſhall be deni-
zens, and the other half of a-
liens, if ſo many aliens and
foreigners be in the town or
place where ſuch inqueſt or
proof is to be taken, that be
not parties, nor with the par-
ties in contracts, pleas, or other
quarrels, whereof ſuch inqueſts
or proofs ought to be taken;
(2) and if there be not ſo ma-
ny aliens, then ſhall there be
put in ſuch inqueſts or proofs
as many aliens as ſhall be found
in the ſame towns or places
which be not thereto parties,
nor with the parties, as afore
is ſaid, and the remnant of de-
pizens, which be good men,
and not ſuſpicious to the one
party nor to the other.

The warranty
of packing of
wools ſhall be
wholly put
out.

27 Ed. 3. ſtat. 2.
c. 8.

An inqueſt
ſhall be de Me-
dietate Lin-
guz, where an
alien is party
to any trial.
8 H. 6. c. 29.
27 Ed. 3. ſtat. 2.
c. 8.
Dyer, 144.
Bro. denizen,
4, 12.

III. And

None shall forestal merchandises coming towards this realm.

III. And that no manner of ship, which is fraught towards *England* or elsewhere, be compelled to come to any port of *England*, nor here to abide, against the will of the masters and mariners of the same, or of the merchants whose the goods be: (2) and if such ships come of their own good will, or be driven by tempests, or other misfortune or mischief, to any port in *England*, and the masters, mariners, or merchants of the same ships will sell or deliver part of their merchandises with their good will, it shall be lawful for every man to buy such merchandises freely without impeachment in the port where such ships shall come, albeit the said merchandises be not put to land to sell; (3) so always, that no merchant nor other shall go by land nor by water to meet such ships charged with merchandises, to forestal the same merchandises, or to give them earnest by way of forestalling, upon the pains contained in the third article of the said ordinances; (4) so that the masters, mariners, and merchants, after that they have sold that which pleaseth them of their said goods, and paid thereof the custom, may freely depart, and go with their ships and all the remnant of their goods whither it shall please them, without custom thereof to be paid: (5) and that none, of what condition that he be, by art or engine, shall disturb any ship charged with merchandises to come to any port of *England*, but to the port where the masters, mariners, and merchants, will first of their free will arrive; nor, after

a nul port d'Engleterre ne y demorer contre le gre des meistres & mariners dycelle ou des marchantz as queux les biens sont & si tieux niefs vieignent de gree ou soient chacez par tempest ou autre infortune ou meschief a aucun port d'Engleterre & les meistres mariners ou marchantz de meismes les niefs veullent vendre & delivrer partie de leur merchandises par leur bone volunte bien lise a chescun tyeles merchandises achater franchement saunz empeschement en le port ou tieles niefs vendront tout ne soient les merchandises mises a la terre pur vendre issint totes soitz qe nul marchant nautre ne voise par terre ne par ewe dencontrer tieles niefs chargez de merchandises de forstaller meismes les merchandises ou de les arrer par voie de forstallerie sur les peines contenues en le tierce article des dites ordenances Si qe les meistres mariners & marchantz apres ce qils averont issint vendu ce qe leur plerra de leur ditz biens & paie ent la custume pussent franchement departir & aler ove leur niefs & tout le remanant de leur biens par la ou leur plerra saunz custume ent paier & qe nul de quele condition qil soit par art ne par engyn ne face ne mette deffourbance a nulle nief chargee de marchandise de venir a nul port d'Engleterre forsque au port ou les meistres mariners & marchantz veullent premerement de gre arriver ne apres ce qils serront arrivez se melle de la vente de meismes les merchandises ne ne deffourbe les marchantz ne leur servantz qils ne pussent meismes par leur mains propres solonc ce

qo

No foreigners ships shall be compelled to arrive in *England*, or to tarry there.
20R.1.c.4.

qe meultz leur semblera pur after they have arrived, shall
leur profit demesne vendre & meddle with the sale of the
deliverer leur marchandises a same merchandises, nor disturb
quele heure & as queux qe the merchants nor their ser-
meultz leur plerra & si nul y vants, that they may not them-
mette destourbance encourage selves by their own hands, ac-
gref forfaiture devers le Roi cording as to them best shall
solonc la quantite du trespas. seem for their profit, sell and
deliver their merchandises at

what time and to whom it shall them best please; (6) and if any
set disturbance, he shall incur a grievous forfeiture to the King
according to the quantity of the trespass.

CAP. XIV.

Upon which days wool may be shewed in the staple, and in which not.

ITEM, it is accorded and established, That shewing of wools Ex. edit. Rast.
shall be made at the staple every day of the week, except Wools staple.
the Sunday and solemn feasts of the year. And that no shew-
ing nor sale of wools be made within three miles about the sta-
ple, but only at the staple, upon the pain contained in the third
article of the ordinance of the staple. *Saving always that every
lord and other man than a merchant, may freely lodge, shew and sell
his wools, which be of his own growing, in his own house or other
place where pleaseth him.*

CAP. XV.

The bounds of every staple, and how far they shall extend.

ITEM, it is accorded and established, That the staple of *West-* Staple bound-
minster shall begin its bound at *Temple-bar*, and extend to ded.
Tutebill. And also in other cities and towns where staples be,
the bounds of the same staples shall be within the walls, where
the cities and towns be walled or enclosed, and in the cities or
towns, which be not walled nor inclosed, the bounds of the
said staples shall be through all the city or town.

Statutes made at *Westminster*, Anno 31 EDW.
stat. 1. and *Anno Dom.* 1357.

TO the honour of God and holy church, it is accorded by our Lord the King, the prelates, earls, barons, and all the commonalty of the said realm of England, in the parliament holden at Westminster the Monday next after the week of Easter, the year of the reign of our lord King EDWARD of England the one and thirtieth, and of France the eighteenth.

AL honneur de Dieu & seinte eglise si est accordé par nostre seigneur le Roi l'atiz countes barons & tout communalte du Roialme d'Engleterre en cest present parlement tenuz a Westm' le Lundi prochein apres la symayne pasque lan du regne nostre seigneur le Roi EDWARD d'Engleterre trent & primer & France disoitisme.

CAP. I.

A confirmation of the Great Charter and the Charter of Forest.

FIRST, That the Great Charter and the Charter of the Forest be firmly kept, holden, used, and executed in all points.

EN primes qe la Grande Chartre & la Chartre de la Foreste soient fermement gardes tenuz usez & exercez en touz pointz.

CAP. II.

No wool shall be bought by fraud to abate the price the Weights shall be sent to all shires.

No wools shall be bought by fraud to abate the price thereof.

ITEM, whereas at the grievous complaint of the commons of the realm of England, it was shewed, that the merchants which buy wool in fairs and markets, and other places by covin and consent betwixt them, do abate the price of wools, and use other weight than is ordained by the statute before this time, in annoyance of the people; (2) it is accorded and established, That proclamation be made through the realm, that no merchant do such covin, upon a grievous forfeiture: (3) and if any do against the same after the proclamation, the King shall assign

ITEM come a la grefve de la commune du roialme d'Engleterre monstre qe les marchans qui achatent laines en feyr marchez & aillours par covin & consent entre eux abbatent le pris de laynes & usent de poids qe nest ordonne par estatut devant ces heures en arrement du poeple Si est accordé & establi qe proclamation faite par tote le Roialme nul marchant face tiele vyne sur gref forfaiture nul face a lencontre aucune proclamation faite le Roi: & n'era ses justices denque

de partie de touz qi font covyne & doier & terminer le Roi & pur la partie. e certaines balauces & de sac dimy sac & quarter dimy livre & quarteron launt a lestandard de lesser soient mandez as touz antz d'Engleterre entre cy a invite seint Johan profchein r issint qils receiues les balances & pois facent amation par touz lour teez qe chescun qi voudra tieu balances & pois vie a viscont devant le seint el de faire lour balances is acordantz au dit estandaour a lour coustages saunz loner au visconte pur l'asson l'ensample des dites bes & pois aver & qe defases nul ne vende nachate utre pois & si nul face a untre soit puny par fyn a ente le Roi.

sign his justices to enquire at the suit of the party of all that do such covin, and to hear and determine for the King and for the party. (4) And that certain balances and weights of sack, half sack, and quarter, pound, half pound, and quarter, according to the standard of the exchequer, be sent to all sheriffs of *England* betwixt this and the nativity of *St. John* next coming, (5) so that they (such balances and weights received) shall make open proclamation through all their counties, that every man that will have such balances and weights, shall come to the sheriff before *Michaelmas*, to make their balances and weights according to the said standard at their costs, without any thing giving to the sheriff for to have assay or example of the said balances and weights; (6) and that from henceforth none

Balances and weights shall be sent to all the sheriffs of England, and every person may make theirs by them.

sell nor buy by other weight; (7) and if any do against the same, he shall be punished by fine at the King's will.

11 H. 7. c. 4.

C A P. III.

man charged with detaining a felon's goods, layeth the fault on another.

EM si nul homme ou ville soit charge en leschequer estre des justices des chades fuitifs & de felons & allegger en descharge de tre qi soit chargeable soit outre fait droit.

ITEM, if any man or town be charged in the exchequer by estreats of the justices of the chattles of fugitives and felons, and will alledge in discharge of him another which is chargeable, he shall be heard, and right done to the other.

A man charged with detaining of felons goods layeth the fault on another.



C A P.

CAP. IV.

Redressing of extortion in bishops officers in proving of wills.

By what means extortion in bishops officers for proving of testaments shall be redressed.

ITEM, whereas the ministers of bishops and other ordinaries of holy church, take of the people grievous and outrageous fine for the probate of testaments, and for the making of acquittances thereof; the King hath charged the archbishop of Canterbury, and the other bishops, that they cause the same to be amended; (2) and if they do not, it is accorded, That the King shall cause to be inquired by his justices of such oppressions and extortions, to hear them and determine them, as well at the King's suit, as at the suit of the party, as in old time hath been used.

3 H. 5. c. 8.
21 H. 8. c. 5.

ITEM come les ministres des evesques & autres ordinaires de seinte eglise preignent du poeple grevous & outrageous fines pur le proeve des testamentz & pur les acquittances ent faire le Roi ad charge lercevesqe de Canterbirs & les autres evesques qils ent mettent amendement & s'ils ne facent acorde est que le Roi ferra enquerre par ses justices des tieux oppressions & extorsions & de les oier & terminer s'il en a la fuyte le Roi come de prove come aunciennement ad est use.

CAP. V.

The contents of a tun of wine, and the gauging thereof.

27 Ed. 3. stat. 1. c. 8.

ITEM, whereas it is ordained by a statute, That the tuns of wine ought to contain a certain number of gallons, according to the old gauge, and now they be diminished for default of the gauger's office to wit used, to the great damage of the people; (2) It is accorded and established, That the said statute shall be holden and kept in all points; (3) and moreover, if any sell a tun or pipe of wine not gauged, that the said seller shall forfeit the same wine, or the value, to the King.

He that selleth his wine ungauged shall forfeit it.

18 H. 6. c. 17.
1 R. 3. c. 13.
28 H. 8. c. 14.

ITEM come ordne soit par estatut que les tonelx de vin duissent contenir certain nombre des galons selonc lauciene gauge & ore ils sont ameneuez per defaute del office de gauge rinalement use a grant damage du poeple acorde est & establi que le dit estatut soit tenu & garde en touz pointz & outre ceo si nul vende tonel ou pipe de vin nient gauge que le vendour forface mesme le vin ou le value devers le Roi.

CAP. VI.

The lords of franchises shall have the fines of labourers and servants, &c. forfeited.

ITEM, whereas by a statute late made it was ordained, That the issues, fines; and amerciaments of servants, artificers, and other workmen, judged before justices of labourers, should be to the King after the three years of the triennial quinzime then granted to the King by the commons of the realm: It is accorded and assented, That the lords of franchises, which have issues, fines, and amerciaments, of labourers by point of charter or in other manner, shall from henceforth have the said fines, issues, and amerciaments, that to him pertaineth, as long as the justice of labourers doth endure. So always that the said lords make contribution to the payment of the fees of such justices of labourers, according to the rate of the profits that they do take.

Ex edit. Rast.
Fines, amerci-
aments.
Labourers.

CAP. VII.

Justices shall enquire of the offenders of the laws of the staple.

ITEM, it is accorded, That the statute of labourers be as well holden in the city and the suburbs of London, and in the five ports, and all manner of other franchises, as elsewhere in England. And that the King assign his justices to inquire, hear, and determine of those that have brought wools, leather, and woollfells to the parts beyond the sea, and thereof have done covin and excess, and otherwise attempted against the ordinances and the form of the statute of the staple.

Statute of la-
bourers.
Wools.
Leather.
Fells.
Staple.

CAP. VIII.

What refuse shall be made of wool. All wools, &c. shall be brought to the staple.

ITEM, It is accorded and assented, for the common profit and ease of the people, That every merchant and other, as well alien as denizen, may bring to the parts beyond the sea, which be of the King's amity, wools, leather and woollfells, from the fifth day of May next coming to the feast of St. Michael next ensuing, paying for every sack fifty shillings, and for CCC woollfells fifty shillings, and for the last of leather C shillings, for the custom and subsidy of the same. (2) And that no merchant nor other that buyeth wools, shall make other refuse of wools than was wont to be made in times past, that is to say, of cote, gare, and villian hedges; (3) and that every sack contain xxvi stones: and every stone xiv pound, according to the weight of the standard of the exchequer, and no more nor less. (4) And that all the wools, fells, and leather bought in the country, shall be brought to the staples, and there shall abide at the least fifteen days. (5) And those that may not there be sold or delivered within the fifteen days, shall be brought to the

What refuse
may be made
of wool.

The content
of a sack and
stone of wool.

Wools
brought to
the staple shall
remain there
xv days.

the

13 R. 2. stat. 1.
c. 9.

the ports ordained for the staple, to pass from thence to the parts aforesaid, paying the customs and subsidies aforesaid. (6) And that no wools vendible shall be lodged, shewed or sold within three miles of the staples, but in the same staple, saving that every lord and other man saving a merchant, may freely lodge, shew and sell his wools which be of his own growing, in his own house and elsewhere, as shall please him.

CAP. IX.

The King's council upon cause may defer the transporting of wool.

Who may defer the passage of wool.

ITEM, it is accorded and assented, That the chancellor and treasurer which for the time shall be, by the advice of other of the King's council, shall have power to defer the term of passage of wools when they see that need is.

CAP. X.

Who may govern or reform the defaults of victuallers in London.

ITEM, because that the fishers, butchers, poulters, and other sellers of victuals in the city of London, by colour of some charters, and by evil interpretation of some statutes made in advantage of the people, that every man may freely sell his victuals without disturbance, and that no mayor, sheriffs, or other minister ought to meddle of the sale; (2)

It is accorded and assented, That every man that bringeth victuals, whatsoever they be, to the city, by land or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by fisher, butcher, poulter, or any other. (3)

The mayor and aldermen of London may reform the defaults of victuallers there.

28 Ed. 3. c. 10.

And that the mayor and aldermen of the said city may rule and redress the defaults of fishers, butchers, and poulters, as they do of those that sell bread, wine, or ale, notwithstanding charters of franchise, and statutes, customs, or other privileges made or used to the contrary. (4) And that the said

ITEM pur ceo qe les pessoners bochers poleters & autres vendours des vitailles en la citee de Loundres par colour dauscunes chartres & par malveis interpretation des aucunes estatuz faitz en avantage du poeple qe chescun homme porra franchement vendre ses vitailles sanz destourbanee sanz ceo qe maire viscontes ou autres ministres se deivent meller de la vente acorde est & assentu qe chescun homme qe amene vitailles queu qils soient a la dite cite par terre ou par eawe les puisse franchement vendre a qi qe lui plerra sanz estre destourbe ou empesche par pessonex bocher poleter ou autre quicunques. Et qe les maire & aldermans de la dite cite puissent reuler & redresser les defautes des pessoners bochers & poleters come ils font ceux qi vendent pain vin & cerveis nient contrestenant chartres de franchises estatutz custumes ou autres privileges faitz ou usez a contraire. Et qe les dites maire

e & aldermans le facent & ent en execution sur peine airs ordire toehante le le Londres issint qe le pūnent des tieux ne soit faite aulse de singular profit:

saïd mayor and aldermen do the same, and put it in execution, upon the pain late ordained touching the city of London, so that the punishment of such be not made in respect of any singular profit.

6 R. 2. c. 11.
Repealed as to
victuallers by
7 R. 2. c. 11.

CAP. XI.

whom the ordinary may commit the administration of the goods of him that dieth intestate. The benefit and charge an administrator.

EM acorde est & assentu e en cas ou homme devie at les ordinairs facent de de plus profcheins & plus amis du mort intestat pur nister ses biens les queux ez eient action a demand-recoverer come executours ettes dues au dit mort in-en la court le Roi pur ad-trer & despendre pur lal-rmōrt & respoignent aux-la court le Roi as autres eux le dit mort estoit tē-& obligez en mesme la re come executours re-ront. Et soient acounta-s ordinairs si avant come tours sont eh cas de testa-sibien de temps passe de temps avētir.

ITEM, it is accorded and as-sented, That in case where a man dieth intestate, the ord-inaries shall depute the next and most lawful friends of the dead person intestate to admin-ister his goods; (2) which deputies shall have an action to demand and recover as exe-cutors the debts due to the said person intestate in the King's court, for to administer and dispend for the soul of the dead; (3) and shall answer also in the King's court to other to whom the said dead person was holden and bound, in the same manner as executors shall an-swer. (4) And they shall be accountable to the ordinaries, as executors be in the case of testament, as well of the time past as the time to come.

To whom the ordinary may commit the administrai-on of the goods of him that dieth in-testate.

5 Co. 9.
9 Co. 38.
Carth. 376.
1 Show. 407.
Vaugh. 96.
3 Mod. 240
25. 59. 60.

The benefit and charge of an administra-tor.

13 Ed. 1. c. 19.
21 H. 8. c. 5.
22 & 23 Car.
2. c. 10.

CAP. XII.

lord chancellor and lord treasurer shall examine erroneous judgements given in the exchequer.

EM acorde est & establi en touz cas touchauntz i ou autres perſones ou ne se plainte derrouz fait roces en leschequier les celler & tresorer facent devant eux en ascune bre du conseil joust les-r le record du proces hors chequier & prises a eux s & autres sages tieux L. II. come

ITEM, it is accorded and establiſhed, That in all cases touching the King, or other persons, where a man complaineth of error made in process in the exchequer, the chancellor and treasurer shall cause to come before them in any chamber of council nigh the exchequer, the record of the process out of the exche-

4 Inst. 105.

1 Co. 11.
Savill, 36.

1 Shower, 410.
The lord chancellor and treasurer shall examine erroneous judgements given in the exche-quer.

I

quer,

quer, taking to them the justices and other sage persons, such as to them seemeth to be taken; (2) and shall also cause to be called before them the barons of the exchequer, to hear their informations, and the causes of their judgements, and thereupon shall duly examine the busyness; (3) and if any error be found, they shall correct and amend the rolls, and after send them into the exchequer for to make thereof execution as pertaineth.

comé lour semblera qe sont aprendre & facent auxint apeller devant eux les barons de leschequier pur oier lour informations & les causes de lour juggement & sur ceo facent duement examiner la busoigne & si ascun errour y soit trove les facent corriger & amendre les roules & puis reenvoier les en leschequier pur faire ent execution sicome appertient.

Altered by 3^r
El. c. 1. & 16.
Car. 2. c. 2. &
20 Car. 2. c. 4.

CAP. XIII.

The King's pardon to the commons of the escape of felons and their goods not estreated; and a fifteen granted to him in regard of the same.

Ex edit. Raft.
Charter of
pardon.

ITEM, Our sovereign lord the King, considering the good aids of the commons of his realm often made to him, and the grants and divers charges, which they have suffered because of wars and other adversities, which before this time hath happened: In relief of the said commons he hath pardoned and released to them all the escapes of thieves and felons, and of chattels of felons, of fugitives before this time fallen, which be not yet judged before the justices or put in estreats, and also all the amerciaments not offered, whereof the commonalty of the county, hundred, or town ought or might in common, and not particularly against the King or his heirs in the Eyre of the justices hereafter for all the time past be charged, and as much as pertaineth to the King of escapes, chatties, and amerciaments aforesaid, except the escapes of clerks convict out of the prison of the prelates, their ordinaries. And thereupon hath granted to the commonalty of every county a charter of this pardon quit of the fee of the seal, which to him pertaineth, for which pardon and release the said commons have granted to our sovereign lord the King a *quinzime* yearly to be levied and gathered in the manner as the last *quinzime* granted to the King was levied, and to be paid at the feasts of Saint Michael and Easter, next coming, by even portions. And our said sovereign lord the King hath granted to the said commons, that for the said *quinzime* so granted, no gold shall be demanded nor levied to the use of the Queen, but that the said commons, shall be thereof wholly discharged: and also the King hath granted, that such escapes and chattels being in the hands of the King's ministers and of other singular persons, which be in life, shall be judged before the keepers of the peace in every county of England by presentment, as well as before justices in Eyre, and the estreats shall be made by indenture betwixt them and the collectors

Clerks convict.

Quinzime.

of the *quinzime*, delivered to the same collectors, to levy
e of the commons in aid of their payment of the same,
, so that the same collectors make thereof distribution
the towns after necessity of every of the same, and sur-
n ordinance of the same justices.

CAP. XIV.

escapes of felons, chattels of felons and fugitives, shall be levied.

autre ceo est acorde qe
eschapes de larens &
les chateux des felons
etifs & aussint eschapes
s convietz hors de pri-
our ordinaires desore
devant qecunques ju-
stre seignur le Roi soi-
z de temps en temps
s escherrent sibien de
usse come de temps ave-

ITEM it is accorded, That
the escape of thieves and
felons, and the chattels of fe-
lons and of fugitives, and also
eschapes of clerks convict out of
their ordinaries prison, from
henceforth to be judged before
any of the King's justices, shall
be levied from time to time, as
they shall fall, as well of the
time past as of the time to
come.

How escapes
of felons shall
be levied.

CAP. XV.

At what time a sheriff shall hold his turn.

M come en la grant
tre soit contenu qe nul
ou son bailif face son
ar hundred forsqe deu-
lan en lieu due & ac-
cest assaver une foitz
Pasque & autrefoitz
Seint Michel & ore
de la communalte se
voulement compleint
viscontes font lovent
urns en quarresme qant
deveroit entendre a de-
k autres oeuvres de cha-
remed de salme & a la
res la gule d'Augst qant
apoi est occupie entour
& lentrete des ses bledz
i le poeple se sont mold
& deseizez nostre feig-
loi desirant la quiete de
ple ad ordine & establi
un visconte desore face
n annuellement unefoitz
mois apres pasque et
itz deinz le mois a-
pres

ITEM, whereas in the great
charter it is contained, That
no sheriff nor his bailiff shall make
his turn by hundreds, but two times
in the year, in a place due and ac-
customed, that is to say, once after
Easter, and another time after
Michaelmas; (2) and now di-
vers of the commons have griev-
ously complained them, that some
sheriffs make their turns often-
times in Lent, when men ought to
intend devotion, and other works
of charity, for remedy of their
souls; and sometime after the gule
of August, when every man ab-
most is occupied about the cutting
and entring of his corn, whereby
the people perceived them much
grieved and disquieted: (3) Our
lord the King, desiring the
quietness of his people, hath
ordained and established, That
every sheriff from henceforth
shall make his turn yearly one
time within the month after
Easter,

9 H. 3. stat. 1.
c. 35.
4 Mod. 114.
115.

At what
time only the
sheriff shall
keep his turn.

Easter, and another time with-
in the month after Saint *Mi-*
chael; and if they hold them
in other manner, that then they
shall lose their turn for the time.

Altered by 33
H. 8. c. 13. f. 1.

pres le Seint Michel & fils le
tieignent en autre manere qd
donques ils perdent leur tourn
pur le temps.

REX vicecomiti Middlesexie salutem. Quedam ordinationes & statu-
ta per nos prelatos duces comites barones & communitatem regni
nostri Anglie in parlamento nostro apud Westm' die Lune proximo post
septimanam Pasche proximo preterito tento pro communi utilitate dicti
regni facta tibi mittimus sub pede sigilli nostri tibi precipientes quod dicta
ordinationes & statuta in pleno comitatu tuo & aliis locis in balliva tua in
locis ubi melius expedire videris publice proclamari & quantum in te est
firmiter teneri & ab aliis observari facias. T. R. apud Westm' primo die
Augusti.

Per ipsum Regem & consilium.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam sub
eadem data.

The statute of herrings, made *Anno 31 EDW. III.*
stat. 2. and *Anno Dom. 1357.*

FOrasmuch as the commons of
the realm of England, at
the parliament holden at West-
minster the Monday next after
the week of Easter, the year of the
reign of our lord the King, Edward
the third of England xxxi, and
of France xviii, have complained
them to our lord the King, because
that the people of Great Yar-
mouth do encounter the fishers
bringing herring to the said town
in the time of the fair, and do
buy and forestall the herring be-
fore they do come to the town;
(2) and also the hostellers of the
same town, that lodge the fishers
coming thither with their herring,
will not suffer the said fishers to
to sell their said herring, nor med-
dle with the sale thereof, but sell
them at their own will as dear as
they will, and give to the fishers
that please them, whereby the
fishers do withdraw themselves to
come thither; (3) and so is the
herring set at much greater price
than ever it was, to the great da-
mage of our lord the King, of the
lords,

POR ce que la communalte
du roialme d'Engleterre en
parlement tenuz a Westm' le
Lundy prochein apres la sy-
mayne de Paque lan du regne
nostre dit seigneur le Roi ED-
WARD d'Engleterre trente pri-
mier & de France disoitisme
lad plainte a nostre seigneur le
Roi que par cause que les gentz
de Grant Jernemuth' encon-
trent les peschours menantz
harang a la dite ville en temps
de feyre & achatent & forstal-
lent le harang avant qil veigne
a la ville & auxint les hostillers
de mesme la ville qi herbergent
les peschours venantz illoques
ove leur harang ne veuillent
soeffre les ditz peschours ven-
dre leur harang ne meller de la
vente dicels einz le vendent a
leur volunte demesne si cher
come ils veuillent & donent as
peschours ceo que leur plect par
quoi les peschours se retrechent
de venir illoques & issi est le
harang mis a plus grant chier-
te que unques ne fust a grant da-
mage

mage nostre seigneur le Roi des seignurs & de tout le poeple par quoi nostre seigneur le Roi veant le meschief en celle partie par assent des grantz & de tout la communalte ad ordine & establi remedié sur les ditz meschiefs en la fourme qe sensuyt.

lords, and of all the people: wherefore our lord the King, seeing the mischiefs in this behalf, by the assent of the great men and all the commons, hath ordained and established remedy upon the said mischiefs, in the form as followeth.

CAP. I.

Herrings shall not be bought or sold on the sea: at what time they shall be sold.

Primement qe nul harang soit vendu nachate en miers tanques peschours soient venuz en haven ove leur harang & qe la corde de la nief soit trete a la terre.

FIRST, That no herring be bought or sold in the sea, till the fishers be come into the haven with their herring, and that the cable of the ship be drawn to the land. No herring shall be sold on the sea. 5 Eliz. c. 5.

CAP. II.

The order and time of bringing and selling of herring at Yarmouth fair. How many herrings shall be accounted an hundred, and how many a last. Who shall govern the fair.

ITEM qe les peschours soient franks de vendre leur harang as totes gentz qe viagent a la feyre de Jernemuth sanz nulle destourbanee de leur hostilers ou autres queconques. Et quant les ditz peschours veullent vendre en port leur marchaundises eient leur hostilers ovesqe eux sils y veulrent estre & en leur presence & en presence dautres marchantz en apert vendent leur marchaundises a qi qe leur plerra. Et si autres marchantz presentz veullent aver part des dites marchaundises et chescun qe claime [avere] sa part pur le pris solonc lassent de mesmes les marchaundises issint venduz & soit la dite vente faite du soleill levant tanqe a soleill recours & nemié devant ne apres sur forfaiture de mesmes les marchaundises. Et qe les ditz peschours soient franks dachater

ITEM, That the fishers be free to sell their herring all that come to the fair of Great Yarmouth, without any disturbance of their hostilers, or any other. (2) And when the fishers will sell their merchandises in the port, they shall have their hostlers with them, if they there will be, and in their presence, and the presence of other merchants, openly shall sell their merchandises. (3) And that every man claim his part for the price, after the rate of the same merchandises so sold: (4) and the said sale shall be made from the sun-rising till the sun going down, and not before nor after, upon forfeiture of the same merchandises. (5) And that the said fishers be free to buy their victuals, and that which they need, where shall please them. (6) And that no hostlers, nor other, The order and time of bringing and selling of herrings at the fair of Great Yarmouth. 35 Ed. 3. c. 2.

The price of
a last of her-
ring.

There shall be
no forestalling
of herring.
5 Eliz. c. 5.

A pyker of
London shall
not enter the
haven of Yar-
mouth to en-
hance the fair.

To what host-
elers shall be
sworn.

Herrings sold
to hostlers to
their own use.

other, buy any for to hang in their houses by covin, nor in other manner, at an higher price the last than forty shillings, but leis in as much as he may, according as he may agree with the seller. (7) And that no hostlers, nor any of their servants, nor any other whatsoever he be, coming to the said fair, shall go by land nor by sea to forestal herring privily nor openly, but the herring shall come freely unsold unto the haven. (8) Nor that any pyker make buying of fresh herring in the haven of *Yarmouth*, betwixt the feast of Saint *Michael* and Saint *Martin*, upon pain of imprisonment at the King's will, and to forfeit all the herring so bought. (9) And that no vessel called pyker of *London*, nor of none other place, shall enter into the said haven to enhance the fair in damage of the people, upon the pain of forfeiture of their vessel, and all their chattels found within. (10) And that all the hostlers be sworn before the wardens of the said fair, and enjoined upon a great forfeiture to the King, to receive their guests well and conveniently, and to aid and ease them reasonably, taking of every last that shall be sold to other merchants than to the said hostlers 40 d. (11) And that of herring sold to the same hostlers to take in their houses, the same hostlers shall take nothing, and that because of the profits which they shall have of victuals sold to their said guests, and of the advantages that they have more than other of curage of herring so by them bought, and hanging in their houses. (12) And that the ho-

ter leur vitailles & ceo q besoigne ou qe leur plerr qe nul hostler nautre n nul harang pur pendre en son par covine ne en autre nre plus haut la last c souldz mes meins en tant il poet solonc ceo qil porder ove le vendour. nul hostler ne nul de lou letz ne nul autre qe ce venant a la dite feyre nailmier ne par terre de for le harang en prive nen mes qe le harang veigne chement nient vendu en ven. Ne qe nul renne face achate de harang deinz le haven de Jernie parentre les festes de Seinchel & de Seint Marty peine demprisonement a lunte le Roi & de forfait tout le harang issint achate qe nul vessel appelle pyk Londres ne de nulle par lours nentre deinz le dit pur encherer la feyre a da du poeple sur peine de sc leur vesselx & touz louz trevez dedeinz. touz les hostlers soient setez devant les gardeins feyre & enjoinz sur gre faiture du Roi de receive houstes bien & converment & de aux oider & resonablement parnant de cune last qe serra vend autres marchantz qe as hostlers quarrant deniers qe de harang vendu as mes hostlers de pendre er mesons riens ne prendro hostlers & ceo pur caus profitz qils averont des vi venduz a leur ditz hous tres du coriage de harang par eux achate & pendu emesons. Et qe les ho

par cause de ceste ordonnance ne refusent lour houstes einz les receivent & trettent en bone manere & amiable come ils ont fait avant ces heures & qils pur lavantage de les quarrant deniers du last empreignent pur le paiement de tut le harang qe terra vendu par lour assent as queconques perones. Et soit le cent de harang acompte par xx . & le last par x . Et qe les marchantz de Jernemuth de Londres & aillours vendent le mill de harang au poeple solonc lassurant du pris du last. Et qe deux lastes de shotenharang fresch soient venduz pur le pris de lassurant de lachate dune last du plein harang. Et qe les gentz de Jernemuth vendent le last de harang sech' achate pur quarrant souldz fresch ou dedeinz quarrant souldz pur dimi marc de gaine & nemye outre. Et qe les gentz de Loundres a tiel fire le last a mesme de Jernemuth en Loundres pur un marc de gaine & nemye outre. Et aussint soient deux lastes de shotenharang fresch venduz pur la pris de lasseraunde de lachate dun last de harang plein & issint de plus & de meins solonc mesme lasseraunt & de shotenharang soer soient deux lastes venduz plus chier dune marc qe la last de harang plein soer & ce par cause qe la coriage du last de shoten harang coust a tant come le last de harang plein & issint de plus & de meins solonc mesme lasseraunt. Et qe les niefs appelez pykers achatent franchement harang fresch & toutes autres marchandises des pescheurs en Kirkele & aillours sur costeres de la mier faunz emphechementz ou destourbançe de lour hostilers de Jerne-

hostelers because of this ordonnance do not refuse their guests, but receive them, and intreat them in good and friendly manner, as they have done before-time. (13) And that they for the advantage of 40 d. the last, take upon them for the payment of all the herring that shall be sold by their assent to any persons. (14) And the hundred of herring shall be accounted by six score, and the last by ten thousand. (15) And that the merchants of *Yarmouth*, of *London*, or elsewhere, sell the thousand of herring to the people after the rate of the price of the last, (16) And that the people of *Yarmouth* sell the last of red herring bought for 40 s. fresh within forty days, for half a mark of gain, and not above. (17) And that the people of *London* at such fair shall bring the last from *Yarmouth* to *London* for one mark of gain, and not above. (18) And also two lastes of shotten herring fresh shall be sold for the price assessed of the buying of a last of full herring, and so of more and less after the same rate; (19) and of shotten herring red, the two lastes shall be sold dearer of a mark than the last of herring full red, and that because the curage of the last of shotten herring draweth to as much as the last of full herring; and so of more and less, according to the same rate. (20) And that the ships called the pykers shall freely buy fresh herring, and all other merchandises of fishes in *Kyrkly*, and elsewhere upon the coasts of the sea, without impeachment or disturbance of the hostellers of *Yarmouth*, or of any other; (21) so always,

The hundred of herring six score; and the last ten thousand.

The prices of herring, and the gains thereby.

that no more herring be discharged in the road of *Kyrky* out of the fishers ships, but as much as may reasonably suffice to the charge of the pykers that thither shall come for the same cause. (22) And that the fishers be compelled to bring all the remnant of their herring to the said fair to sell there; (23) so that none sell herring in any place about the haven of *Yarmouth* by seven miles, except in three towns of *Yarmouth*, that is to say, *Eston*, *Weston*, and *Southton*, unless it be herring of their own fishing.

The barons of the five ports must govern the fair of Great Yarmouth.

(24) And our lord the King doth will, that the barons of the five ports shall cause to be kept and governed the said fair according to the composition late made between them and the people of the town of *Yarmouth*, confirmed by the King's grandfather; (25) and that the same barons and bailiffs of *Great Yarmouth* cause to be kept these present ordinances in all points, and to be cried in every *Sunday* between *St. Michael* and *St. Martin*, upon the pain to lose their franchise, and to be punished at the King's will; (26) and that the people of *Yarmouth* suffer the said barons of the five ports to govern and rule the said fair after the purport of the said composition, and due execution to be made of this ordinance upon the pain last aforesaid. (27) And these ordinances in the right of buying and selling of herring, shall be holden in all the towns of *England*, where herring is taken and dried, upon the pains aforesaid.

These ordinances to be observed in all towns where herring is taken and sold.

muth ou de nul autre issint tou-
tefoitz qe plus de harang ne
soit deschargez en la rode de
Kirkele hors de niefs de pes-
chours fors tant qe purra re-
sonablement suffire a la charge
de pykers qe illoques vendront
pur celle cause. Et qe les pes-
chours soient arceez de amener
tout le remenaunt de leur har-
rang a la dite seyre de vendre
illoques issint qe nul ne pende
harang nul part environ le ha-
ven de *Jernemuth* par sept lewes
sinoun en trois villes de *Jerne-
muth* cest assaver *Eston* *Weston*
& *Southton* fil ne soit harang
de leur pescherie demesne. Et
nostre seigneur le Roi voet qe
les barons de cynk portz fa-
cent garder & gouvernir la dite
seyre solonc la composition nad-
gairs faite entre eux & les gentz
de la ville de *Jernemuth* con-
ferme par lael nostre seigneur le
Roi et qe mesmes les barons &
les bailiffs de *Grant Jernemuth*
facent garder cestes presentes
ordinances en touz pointz &
crier chescune *Dymenge* pa-
rentre le *Seint Michel* & le *Seint
Martyn* sur peine de perdre leur
fraunchises & destre puniz a la
volunte le Roi Et qe les gentz
de *Jernemuth* soeffrent les ditz
barons de cynk portz gover-
nir & reuler la dite seyre solonc
le purport de la composition
avant dite & due execution estre
faite de cestes ordinances sur la
peine darreinement susdite. Et
soient cestes ordinances en droit
de vente et achate de harang
tenues en totes les villes d'En-
gleterre ou harang est pris &
secche sur les peines susdites.

CAP. III.

That officers shall take order for selling and buying of fish.

orde est par nostre
sur le Roi les grantz
communalte en c. st
t qe les chaunceller &
ris a eux justices & au-
conseil le Roi tieux
r semblera eient poer
remedie de lachate &
tokfishie de Seint Ba-
mon de Berewyk &
& de pesson a Bristuit
sau fin qe le Roi & le
ent meuth seruitz pur
marche qils nount este
s heures & qe lordi-
ar eux faite en celle
t fermement tenez.

ITEM, it is accorded by our lord the King, the great men, and all the commons in this present parliament, That the chancellor and treasurer taking to them justices, and other the King's council, such as to them shall seem, shall have power to ordain remedy touching the buying and selling of stock-fish of *St. Botulf*, and salmon of *Berwick*, and of wines and fish of *Bristuit*, and elsewhere; to the intent that the King and the people may the better be served, and have better market than they have had before this time, and that the ordinances by them made in this party be firmly holden.

The chancel-
lor and trea-
surer may
make order
for the buying
and selling of
certain fish
and wine.

ier statute for salt-fish, made *Anno 31*
Dw. III. stat. 3. and Anno. Dom. 1357.

que monstre est a nostre seigneur le Roi par les communes
en roialme d'Engleterre en son parlement tenez a Westm'
prochein apres la semaine de Pask lan du regne no-
sur le Roi cest assavoir d'Engleterre trent primer & de
lisoitisme qe pessons salez de Blakeneye & de les costeres
z sont & devant ces heures ont este venduz a trop chier
pris a grant damage de nostre seigneur le Roi des grantz
it le poeple du dit roialme de quoi les ditz communes
emedede nostre seigneur le Roi desirant sur ce mettre
ent en eise de son poeple & par assent de les prelatz &
antz & communes ad ordegne & establi sur la vente des
ons en la manere qe sensuyt.

CAP. I.

*and load-ships of Blackney haven shall discharge
their fish there.*

reement qe touz les
s appellez dogeres &
es appartenantz al ha-
blakeneye & des coste-
nantz cestassavoir de
Suyterle

FIRST it is ordained, That all the ships called *Doggers* and *Loadships*, pertaining to the haven of *Blackney*, and coasts thereunto adjoining, that *load-ships of the haven of Blackney shall discharge their fish within the same haven.*

is to say, the *Suytor*, the *Wynston*, *Clay*, *Salthouse*, *Shiringham*, and *Crowmer*, shall deliver or discharge their fish within the haven of *Blackney* only, betwixt *Benord* and *Hogflete*, and in none other place, upon pain of imprisonment at the King's will, and forfeiture of the same fish.

(2) And that no fish be delivered nor carried out of the ship to any house, nor elsewhere, before that the owner of the ship, wherein the said fish is charged, and the merchant that shall buy the fish, be agreed of the price of the same, by clear day.

Suyterle Wyn' Claye Salthous Shyringham & Crowmere deliverent & deschargent leur pesson dedeinz le haven de Blake-neye tantfoulement parentre Benorde & Hogflete & en nul lieu aillours sur peine demprisonement a la volonte le Roi & forfaiture de mesme le pesson. Et qe nul pesson soit li-vere ne porte hors du nief a nulli meson ne aillours avant qe le seignur du nief en quele le dit pesson est chargee & le marchant qui le pesson achatera soient acorde du pris dicel & ce par cler jour.

C A P. II.

The price of dogger-fish shall be assessed at the beginning of the fair. Who may buy nets and books in Norfolk.

ITEM, That no fisher nor owner of any ship, nor any other, set hand upon any fish within the ship for to try, choose, or impair the fish, but only the buyer or his attorney, upon the said pain. (2) And that no fish called *Loych-fish* shall be chosen or tried, but only in three parts, that is to say, lob, ling, and cod; (3) and that every of the same three sorts of lob, ling, and cod, be good and covenable, as in old time hath been used. And in case that no orgeys, that is to say, fish greater than lob, be found in a ship called a *Load-ship*, in the hundred of lob, ling, and cod, the master and mariners shall have of every hundred of lob, ling, and cod (the hundred accounted to six score) twenty orgeys, if there be so many: and if there be less, the masters and mariners shall have all the orgeys; (4) and if there be more, the overplus above the scores to every hundred

I seignur du nief ne nul autre ne mette main sur nul pesson deinz nief pur le pesson trier eslire ou empirer fors soulement lachatour ou son attorne sur la dite paine. Et qe nulle pesson appelle lochefish ne soit eslu ne trie fors tantfoulement en trois parties cestassavoir lob lyng & cod et qe chescun de meismes les trois fortz de lob lyng & cod soit bon & covenable come en auncien temps estoit usee. Et en cas qe nul orgois cest assavoir pesson plus grant qe lob soit trove en nief appelle Lodship en le cent de lob lyng ou cod eient les mestres & mariners de chescun cent de lob lyng & cod (le cent acompte a dis vintz) vint orgois si tantz y soient & si meins y soient eient les mestres & mariners touz les orgois et si plus y soient soit le surplus outre les vintz a chescun cent mys a le pesson achate en amandement du pris dicel au profit

Loych-fish tried but in three parts, lob, ling, and cod.

Who shall have the orgeys.

achatur. Et qe par
marchantz & achas
seignurs venantz a
de Blakeneye & des
des niefs soit a con
ent avant qe nul vente
ertein pris mys & assiz
esson de dogrefish &
queu pris soit tenuz
la feire et qe tout le
1 soit vendu a tiel pris
& nemye par covyne
it en muscet. Et qe
nur de nief mariner
ne herberge ne face
r en lour mesons en
n appert peffon en la
peffon sek pur reven
soitz a retail einz soit
esson vendure sonable
deinz les boundes sus
foir & pris avantditz
ne la peine. Et qe
me achate retz hokes
instrumentz apperte
pescherie en le contee
forspris seignurs me
nariners des niefs qui
mester de pescherie &
ure des tielles choses
e demprisonement &
intz a la volunte le
r forfaiture des choses
ates. [Et qe nul de
soit fait del dit peffon
fence de siz hommes
z par les bones gentz
les Suyterle [*Southley*]
n Claye Salthous &
iam & les seignurs &
des niefs & les mar
ueux sis hommes cynk
ois ou deux de eux a
ient toutesoitz en pre
les seignurs & mestres
efs & les marchantz a
deliverance affaire &
les ditz sis hommes
rez de bien & loial
cher si nul orgois soit
muscet ultre vint or
gois

dred shall be put to the fish
bought in amendment of the
price of the same to the profit
of the buyer. (5) And also by the
advice of the merchants and
buyers of the owners coming
to the fair of *Blackney*, and of
the owners of the ships, a price
shall be set at the beginning,
and assessed upon the dogger-fish
and loych-fish, before that any
sale be made, which price shall
be holden during the fair; and
that the said fish be sold at such
a price openly, and not by co
viu privily. (6) And that no
owner of ships, mariners, nor
other, lodge, nor caute to be
lodged in their houses privily
nor openly, fish in the mud,
nor fish dried, for to sell again
another time at retale, but all
such fish shall be sold reasona
bly within the said bounds at
the fair and price aforesaid,
upon the same pain. (7) And
that no man buy nets, hooks,
nor other instruments pertain
ing to fishing in the county of
Norfolk, but owners, masters,
and mariners of ships that use
the mystery of fishing, and
which have to do with such
things, upon pain of imprison
ment, and to be ransomed at
the King's will, and to forfeit
the things so bought.

The price of
dogger-fish
shall be assessed
at the begin
ning of Black
ney fair.

Fish shall not
be kept secret
to be sold by
retail.

Who may buy
nets and hooks
in Norfolk to
fish with.

(8) And that no owner of a
ship, mariner, nor other, make
impeachment, nor be resistant
in any point against this pre
sent ordinance. Nor that no
mariner nor fisher, because of
this ordinance, leave or refuse
to go in fishing, as before times
they were wont to do, nor dis
turb any covenant made be
tween a merchant and owner
of a ship, upon pain of impris
onment,

The punishment of the offenders of this statute.

sonment, and to be ransomed at the King's will; (9) and that upon the same a writ be sent to the sheriff of *Norfolk*, that at every man's complaint that will sue for the King, or for himself, against those that in any point offend against this ordinance, he shall cause the same resisters and trespassers to be attached, and them detain in prison till the King and his council have ordained of them that right requireth, after the quantity of their trespass.

gois que les mestre & mariners averont del cent come dessus est dit & si plus orgois soit treve en nulcet soit maintenant arestu par le ditz [sic] hommes esluz a celle heure presentz & forfait a nostre seignur le Roi *.] Et que nul seignur de nief mariner nautre ne face empeschement ne ne seieit rebel en nul point contre ceste presente ordinance. Ne que nul mariner ne peschour par cause de ceste ordinance ne leste ne refuse daler pescher come il soleit devant ces heures faire ne

ne destourbe covepante faite parentr smarchant & seignur de nief sur peine demprisonement & destre reint a le volunte le Roi & que sur ce brief soit mande au vilconte de Norff que a chescune plainte qui vorra suir pur le Roi ou pur lui mesmes contre ceux qui vendront en aucun point contre ceste ordinance face attacher les ditz rebelx & trespassours & les detenir en prison tanque le Roi & son conseil eient ordenez de eux ceo que droit demande selonc la quantite de lour trespass.

* Note, There are two copies of this statute on the roll, in one of which the words included in the crotchets are not found.

Ordinatio facta pro statu terræ Hibernie, 31 EDW. III. stat. 4. †

REX archiepiscopis episcopis abbatibus prioribus ministris nostris tam majoribus quam minoribus & quibuscunque aliis de terra nostra Hibernie fidelibus nostris ad quos &c. salutem. Quia ex frequenti fidedignorum insinuatione accepimus quod terra nostra Hibernie ecclesiaque Hibernicana ac clerus & populus ejusdem nobis subditus ob defectum boni regiminis ac per negligentiam & incuriam ministrorum regionum ibidem tam majorum quam minorum hæcenus turbati fuerant multipliciter & gravati marcheeque terre ipsius juxta hostes posite per hostiles invasiones vastate occisis marchionibus & depredatis & eorum habitationibus enormiter concrematis ceterisque coactis loca propria deserere quibusdam videlicet ad hostes ceteris ad loca extranea fugientibus diverseque partes dictarum marchiarum taliter desolate & derelictæ per hostes ejusdem occupate nostraque & ejusdem terra negotia incongrue & inutiliter agitata leges & approbatæ consuetudines minus debite observate populus noster bonis & rebus suis contra justitiam legem & formam statutorum inde

† This statute is found upon the roll, and is supposed to have been made about this time.

editorum diversimode spoliatus paxque nostra lesa & minime custodita ac proditores latrones & malefactores non sicut convenit castigati quorum malorumque occasione majora dampna irreparabilia evenire quod absit timentur nisi premissis opportunis remediis occurratur : Nos desiderantes utili regimini & quieti eorundem terre & populi providere que sequuntur propterea de assensu consilii nostri ordinanda duximus & firmiter observanda.

CAP. I.

IN primis videlicet volumus & precipimus quod sancta Hibernicana ecclesia suas libertates & liberas consuetudines illesas habeat & eis libere gaudeat & utatur.

CAP. II.

ITEM volumus & precipimus quod nostra & ipsius terre negotia presertim majora & ardua in consiliis per peritos consiliarios nostros ac prelatos & magnates & quosdam de discretioribus & probioribus hominibus de partibus vicinis ubi ipsa consilia teneri contigerit propter hoc evocandos in parlamentis vero per ipsos consiliarios nostros ac prelatos & procetes aliosque de terra predicta prout mos exigit secundum justitiam legem consuetudinem & rationem tractentur deducantur & fideliter timore favore odio aut pretio postpositis discutiantur & etiam terminentur.

CAP. III.

ITEM cum justiciarii & quidam alii ministri nostri dicte terre qui hactenus extiterant ducti consiliis privatorum consiliariorum suorum non nostrorum ne dicamus broccatorum innumeras injurias tam nobis quam personis aliis singularibus irrogaverint commoda in ea parte illicite adquisita suis propriis non nostris usibus applicando volumus & precipimus quod ipsi ministri nostri majores maxime tales consiliarios ut premittitur broccatores presertim illos de hujusmodi broccagiis diffamatos qui cum hujusmodi majoribus ministris ante hec tempora extiterant secum non teneant & si quos tenuerint ipsos ab eis statim amoveant ne nostra & terre negotia per ipsos broccatores impetantur nec commoda ad nos pertinentia a nobis per ipsorum fabricata consilia auferantur et si hujusmodi privati consilarii quod absit in eorundem ministrorum nostrorum comitivis contra ordinationem predictam retenti quicquam a populo seu eorum quolibet in eorum gravamen ex broccagio vel alio sinistro pacto ad suum vel dominorum suorum opus receperint illud plene solventi restituant & nichilominus pro excessu hujusmodi erga nos per justic' & consilium nostrum Hibern' debite puniantur & rationabilem prout eisdem justic' & consilio nostris expedire videbitur faciant nobis finem & amoveantur statim ut pretangitur a comitivis eorundem districtius justiciario nostro Hibernie qui pro tempore fuerit injungentes quod hoc penes se fideliter observet & penes alios faciat observari.

CAP.

CAP. IV.

ITEM cum populus quasi per totam Hiberniam nobis subiectus per spoliaciones & captiones victualium & aliorum bonorum suorum per provifores dictorum majorum ministrorum & sepiissime de mandato ipsorum ministrorum lamentabiliter sit depressus volumus & firmiter precipimus quod provisiones victualium ad nostrum & dictorum majorum ministrorum nostrorum opus in dicta terra Hibernie faciende fiant juxta formam statutorum & articulorum per nos in parlamenti & aliis magnis consiliis ad utilitatem populi nostri editorum & factorum & non aliter ita quod victualia sive res alie quecunque ad opus hujusmodi capienda per probos & legales homines locis ubi ea capi contigerit vicinos juratos non comminatos nec comminationibus compulsos habita consideratione ad pretium quo talia victualia & res in vicinis mercatis venduntur appretientur & statim pretium persolvatur & si imminente pecunie defectu provifores predicti tallias de pretio ipso illis a quibus victualia & res capta fuerint juxta dictum pretium faciant infra unum vel duos menses pretium ipsum solvant ita semper quod pro modicis victualibus & rebus sic emptis & captis videlicet infra summam viginti solidorum in manu solutio prompta fiat et si majores ministri nostri facere neglexerint volumus & precipimus quod thesaurarius noster Hibernie qui pro tempore fuerit dictum pretium de feodis que ipsi majores ministri nostri ad scaccarium nostrum Dublin percipiant sine difficultate solvat alioquin tantum de feodo dicti thesaurarii subtrahatur et pro eisdem victualibus ob ejus in hac parte culpam solvatur & quod provifores ad victualia hujusmodi providenda deputati coram consilio nostro Hibernie corporale prestant super sancta Dei evangelia juramentum quod victualia ipsa providebunt & capient ubi ad majus commodum nostrum & ministrorum nostrorum & minus dampnum populi nostri fieri poterit secundum formam commissionum nostrarum eis sub magno sigillo nostro Hibernie inde faciendarum que contineant modum & formam providentiarum hujusmodi juxta tenores statutorum & articulorum predictorum faciendarum & specialiter illam clausulam *Si aliter fecerint fiat de eis sicut de latronibus* quodque fines seu dona ab aliis non recipiant ut eis parcant & alios gravent & quod nulla victualia seu res alie ad opus predictum per aliquas commissiones dictorum majorum ministrorum nostrorum sub sigillis suis set tantum per commissiones sub magno sigillo nostro Hibernie capiantur seu provideantur ut est dictum. Et volumus insuper quod provisiones hujusmodi fiant per deliberationem tam consilii nostri quam quorundam proborum & fidedignorum hominum de majoribus de vicinis partibus in quibus ipsi majores ministri nostri moram traxerint vel ad quas eos contigerit declinare ut cessent in ea parte gravamina que populum nostrum fidelem Hibernie hactenus lacrimabiliter oppresserunt nolumus tamen ob honorem et reverentiam Dei sancteque matris ecclesie quod quicquam in ecclesiis aut ecclesiarum dotibus

dotibus & feodis ad nostrum aut ipsorum ministrorum opus per ipsos ministros nostros provisores seu quosvis alios contra voluntatem prelatorum aut ecclesiasticarum personarum seu custodum locorum & bonorum eorundem aliquialiter capiatur.

CAP. V.

ITEM cum propter defectum & desidiam dictorum majorum ministrorum nostrorum pax nostra in diversis ejusdem terre partibus tam extra marchias quam in eis fuerit improvide custodita per quod latrones malefactores & dicte pacis perturbatores audaciores effecti homicidia & robaries tam in terris pacis quam in marchiis haftenus publice perpetrarunt & fines & redemptiones a diversis hominibus ut eos in pace dimitterent exegerunt & per comminationes de corporibus interficiendis & domibus incendendis extorserunt sicque in diversis partibus ubi pax viguit facta est guerrina marchia & afflictio populorum volumus & districte precipimus quod justitarius noster Hibernie qui nunc est vel qui pro tempore fuerit in quolibet comitatu ubi sessiones suas fecerit de hujusmodi homicidiis & homicidiis latronibus & latrociniiis transgressoribus & transgressionibus ac hujusmodi fines & redemptiones exigentibus & extorquentibus nec non de illis qui dicuntur homines otiosi & malefactoribus qui etiam kernys dicuntur & eos ducentibus per quos populus fidelis diversarum partium opprimitur & destruitur & quamplures eorum loca propria relinquere coarctantur sepe & sepius in anno inquisitiones faciat diligentes & subire justitiam indictatos si indignationem nostram & debitam erga nos punitionem voluerit evitare. Volumus insuper & precipimus quod residentes in patria ubi hujusmodi latrones & malefactores vagari & furta & latrocinia perpetrari continget illis de eadem patria de bonis suis per predictos spoliatis & derobbatis satisfactionem exhibeant competentem si hujusmodi latrones & malefactores cum clamore & tumultu persecuti non fuerint nec responderint de corporibus eorundem juxta formam statuti dudum apud Wynton editi & provisi. Et si custodes pacis in comitatibus dicte terre nostre Hibernie circa executionem officii sui fuerint negligentes volumus & precipimus quod de eorum negligentia & improvido gestu per justiciarium nostrum Hibernie sepissime inquiratur & ipse eos per incarcerationem corporum suorum & per fines nobiscum faciendos juxta modum qualitatem & quantitatem culparum negligentiarum & defectuum suorum puniat & castiget.

CAP. VI.

ITEM cum occasione cartarum de pardonatione feloniarum & transgressionum per justiciarios nostros Hibernie qui haftenus extiterunt generaliter & improvide concessarum seditiones homicidia roberie latrocinia & transgressiones frequentius fuerint perpetrata aliaque mala exinde innumera sunt secuta volumus & precipimus quod carte hujusmodi de cetero non nisi in parliamentis aut consilii de assensu et deliberatione eorundem parliamentorum & consiliorum consideratis personarum & malefactorum

tum perpetratorum qualitatibus concedantur ita quod nulla generalis pardonatio inde fiat set specificentur & exprimantur in eisdem perpetrata felonie sive transgressionibus juxta tenorem cujusdam statuti per nos & consilium nostrum Anglie editi & missi ad Hiberniam observand'.

CAP. VII.

ITEM cum consilium nostrum Hibernie nonnullique prelati magnates communitates civitatum & villarum & alii etiam missi nuntii de Hibernia per literas & suggestiones nos & consilium nostrum in Anglia de diebus in dies certificaverint minus vere quod bona pax in dicta terra nostra Hibernie viguit & paces ubilibet sive in diversis marchiis fuerant reformate quibus temporibus majora ex repentinis hostium invasionibus homicidia incendia depredationes marchiarum Anglicarum & alia incommoda quam guerrarum temporibus contingebant nosque de hujusmodi certificationibus confidentes defensiones aliaque remedia prout oportuit non providimus temporibus opportunis unde debilitantur diverse patrie & vastantur quas deceptiones & delusiones in certificationibus hujusmodi sub silentio transire non intendimus set punire volumus & sub gravi forisfactura nostra precipimus quod nulli de cetero prelati magnates communitates aut quivis alii nos & consilium nostrum in tali casu nisi de facti veritate ad procuraciones quorumcunque ministrorum nostrorum seu alias certificare pro evitandis futuris periculis audeant vel presumant quod si facere presumpserint eos si culpabiles inventi fuerint puniri pena debita faciemus.

CAP. VIII.

ITEM cum per maritagia & alias diversas alligationes & infantium nutrimenta inter Anglicos morantes in marchiis & Hibernicos & per premunitiones & explorationes utrobique factas occasionibus supradictis infinite destructiones & mala alia hactenus evenerunt & expeditiores nostre & justitiariorum nostrorum ibidem nostro nomine tam in guerrinis actibus quam aliis commodiferis progressibus extiterant impedite volumus & precipimus quod hujusmodi contrahenda inter Anglicos & Hibernicos matrimonia ceteraque private alligationes & nutrimenta infantium cessent de cetero & penitus dimittantur & quod justitarius noster Hibernie qui pro tempore fuerit de tempore in tempus de hujusmodi matrimoniis inter Anglicos & Hibernicos alligationibus infantium nutrimentis ac de adhesionibus premunitionibus & explorationibus hiis occasionibus faciendis si que de cetero contrahi vel fieri contingent diligenter inquirat & puniat secundum legem & consuetudinem terre nostre Hibernie delinquentes.

CAP. IX.

ITEM cum majores constabularii & alii ministri stapule Hibernie colore statuti ejusdem stapule in placitis debitorum transgressionum & aliarum diversarum querelarum que mercimonia de stapula non concernunt & de antiquis actionibus dictam stapulam precedentibus sicut in negotiis & placitis de stapula cognoscant

cognoscant & processus faciant erroneos & injustos in dampnum populi nostri earundem partium valde grave volumus & prohibendo precipimus ne dicti majores constabularii aut alii ministri dicte stapule placita alia teneant nisi ea que ad eos pertinent secundum vim formam & tenorem statuti de stapula supradicti quod si fecerint dictus justiciarius noster de tempore in tempus inde inquirat & debite puniat excedentes.

CAP. X.

ITEM cum quidam ministri tam majores quam minores ac servientes in curiis nostris ibidem placitantes & quandoque clerici placearum non obstantibus statutis de cambipartiis editis tam propter munera & pacta quam mutuas conventiones inter ipsos & quosdam partium coram eis placitantium de terris placitatis cum recuperate fuerint habend' alteram partem manutenuerint defenderint & juverint ita quod communiter terra hujusmodi placitata & per manutenentiam & defensionem ministrorum & servientum predictorum errante justitia recuperata penes aliquem eorum nichil provide solvendo vel modicum remaneat sicque partes terra sua fraudate factisque expensis circa ipsa placita perditis ad paupertatem vel statum miserum ducebantur volumus & precipimus & sub gravi forisfactura nostra & sub penis etiam in dictis statutis contentis districtius inhibemus ne qui ministri nostri majores vel minores servientes aut clerici quicunque hujusmodi manutenentias defensiones seu auxilia partibus hiis occasionibus contra justitiam faciant vel impendant nec hujusmodi terram placitam sic adquirant nec quicquam aliud attemptent contra formam statutorum eorundem.

CAP. XI.

ITEM cum brevia de debitis transgressionibus & alia etiam que coram justitiariis nostris ad communem legem placitari deberent in scaccario nostro Dublin' per brevia ejusdem scaccarii communiter placitentur per quod thesaurarius & barones nostri ac clerici de eodem scaccario circa hujusmodi placita intententes impediti existant quo minus circa nostra & populi nostri negotia que ad officia sua in eodem scaccario de jure & consuetudine ejusdem scaccarii pertinent vacare possint per quod ipsa negotia ih nostri & populi nostri grave dampnum indies retardantur volumus & firmiter inhibendo precipimus ne hujusmodi communia placita in dicto scaccario placitentur contra formam statuti inde editi & provisi & quod cancellarius ejusdem scaccarii i hujusmodi brevia ad communem legem sub sigillo dicti scaccarii consignaverit vel consignari fecerit vel permiserit de contemptu nobis facto ac de gravamine parti illato coram justitiario nostro per breve nostrum vel per billam respondeat ut debet:

CAP. XII.

ITEM cum per falsas & minus veras suggestiones quorundam de Hibernia intercurrentium & labia habentium latrantia nientiumque famam & opinionem bonorum ministrorum nostro-

rum & aliorum fidelium in illis partibus tam per billas quam suggestiones non sine scandalo depravare per quod nostra & terre nostre negotia frequentius impetuntur volumus & ordinamus quod de cetero huiusmodi bille & suggestiones in scriptis redacte sub sigillo cancellarii Anglie pro tempore existentis ad justitiarium cancellarium & thesaurarium nostros Hibernie qui pro tempore fuerint transmittantur ut ipsi vocatis ad se aliis quos vocandos viderint in presentia dictorum intercurrentium sive broccatorum quos similiter ad Hiberniam remitti volumus de contentis in billis huiusmodi & suggestionibus predictis diligenter inquirent & si bille & suggestiones veritatem contineant defectus iuste corrigant & emendent & si ipsi intercurrentes & broccatores falsa & mendacia suggererint pena debita puniantur ut pena ipsa exemplum aliis prebeat a talibus abstinendi.

CAP. XIII.

ITEM licet in pacem reformationibus inter justiciarium nostrum Hibernie & Hibernicos super guerris hinc inde motis fuisset communiter expressatum quod de dampnis datis per injuriantes violatis pacibus vel factis per invasiones mutuis depredationibus fieret bonorum restitutio vel debita satisfactio dampna passis ipsi tamen justitiarium circa satisfactionem huiusmodi injuriarum Anglicis impendendam hactenus insistere non curabant per quod dicti Anglici hactenus depreffi fuerant & ditati exinde hostes paces eo citius rumpere & depredationes at alia dira mala facere satagebant volumus & firmiter precipimus quod justitarius Hibernie qui pro tempore fuerit cum per paces & pacum tractatus seu alias ordinatum fuerit quod huiusmodi satisfactio fieret hinc & inde diligenter insistat & intendat ut fiat in casu huiusmodi mutua justitia & celeris satisfactio injuriam patientibus in hac parte.

CAP. XIV.

ITEM cum vicecomites comitatum Hibernie nonnulla & diversa debita de viridi cera & alia currentia per summonitiones & extractus & alia in demandis de ballivarum suarum populis sepe & iteratis vicibus per graves distractiones levaverint & nec se in compotis suis oneraverint nec solventes ad dictum scaccarium acquietaverint in nostri grave dampnum & depressionem populi manifestam volentis remedium apponere in hac parte volumus & firmiter precipimus quod justitarius noster Hibernie pro tempore existens in singulis comitatibus in quibus suas fecerit sessiones diligenter videlicet ad minus semel in anno inquiret de huiusmodi debitis per ipsos de populo sive semel sive pluries vicecomitibus sic solutis videlicet tam de tempore preterito prout expedire viderit quam futuro & omnia huiusmodi debita que per tallias seu acquietantias dictorum vicecomitum aut subvicecomitum seu servientum eorundem com' generalium seu senescallorum vel ballivorum aut aliorum ministrorum vel per inquisitiones inde faciendas aut alio modo legitimo constare poterit eis per ipsos de populo soluta fuisse una cum nominibus recipientium & solventium irrotulari & in scriptis redigi &

rotulos illos sub sigillo suo ad scaccarium predictum mitti faciat ad effectum ut thesaurarius & barones de eodem scaccario inspectis rotulis ipsis scrutatisque rotulis ipsorum vicecomitum & aliorum ministrorum predictorum ibidem residentibus ac aliis rotulis & memorandis premissa tangentibus vocatis ipsis vicecomitibus ministris & aliis qui fuerint evocandi eosdem vicecomites & ministros de summis quas eos constare poterit sic levasse & se in compotis suis aut alio modo non onerasse eosdem onerari & pro concelamentis in ea parte puniri & solventes inde ad idem scaccarium acquietari. Et si iidem debitores unum & idem debitum pluries solverint eosdem vicecomites & ministros seu eorum heredes aut executores ad restituendum illud ultra unam vicem receptum ipsis debitoribus eorum heredibus seu executoribus compelli faciat ut est justum. Et si justitarius predictus circa hec vacare non poterit ex causis variis prepeditus volumus & precipimus quod tres vel duo de fidelioribus & legalioribus hominibus ipsorum comitatum per commissiones sub magno sigillo nostro quo utimur in Hibernia assignentur ad inquirendum & ad omnia alia in eodem articulo contenta faciendum & explendum in forma predicta.

CAP. XV.

ITEM quamvis nonnulli debitores nostri debita sua ab eis exacta ad scaccarium predictum solverint & in magnis rotulis ejusdem scaccarii inde exonerati fuerint & quieti ipsi tamen debitores in rotulis rememoratorum ejusdem scaccarii unde exactio ipsorum debitorum processerit de ipsis debitis minime quietantur per quod ipsa soluta debita currunt quasi cotidie in demanda & ipsi quieti nichilominus pretextu exactionum de officiis rememoratorum exeuntium per graves distractiones cum expensis & laboribus gravibus coacti ad dictum scaccarium ea occasione venire & placitare & summas graves pro scrutiniis in eisdem rememoratorum officiis faciendisolvere miserabiliter deprimuntur volumus igitur & firmiter precipimus quod thesaurarius & barones de scaccario predicto injungant & faciant grossarios ejusdem scaccarii cum quicunque tales debitores de debitis in eisdem rotulis quieti facti fuerint illas quietantias statim predictis rememoratoribus ostendere & ipsos rememoratores in rotulis suis inde similiter exonerari & quietari sub gravi pena illis in quibus negligentia vel omissio in hac parte reperta fuerit per dictum justitiarium nostrum & alios de consilio nostro vel pecuniaria vel alia debita pro eorum moderamine imponenda.

CAP. XVI.

ITEM cum quidam justitarii nostri Hibernie diversos homines Hibernie majores & minores per breviam precepta billas & aliis modis voluntarie & absque indictamentis presentationibus seu debitis processibus arrestaverint ceperint & imprisonaverint in prisionisque obscuris & in ferris ligatos detinuerint donec per duritias imprisonamenta & inflictas penas fines & redemptiones cum ipsis justitiariis & eorum privatis consiliariis &

broccatoribus pro eorum voluntatibus ad ipsorum singulare & non nostrum eoinmodum fecerint contra formam Magne Carte & aliorum statutorum nostrorum inde editorum & contra legem & consuetudinem dicte terre Ita quod per hujusmodi privatos consiliarios eorumque cupiditates & singularia sua commoda jura nostra & corone nostre ac commoda nostra sepius subtracta lesa subversa & perditæ fuerint & etiam nonnulli tam indictati quam non indictati & imprisonati petierint a dictis justitiariis suas deliberationes secundum legem & consuetudinem dicte terre quas ad communem legem habere non poterant donec fines & redemptiones hujusmodi cum ipsis justitiariis & eorum privatis consiliariis ad opus suum & non nostrum precipiendos pro liberationibus suis ad communem legem habend' similiter fecerint & solverint vel inde eis securitatem fecerint unde reputaverint se contentos volumus & firmiter precipimus quod homines subditi nostri absque indictmentis presentationibus aut aliis debitis processibus contra formam carte & statutorum predictorum ac legem & consuetudinem supradictas per justitiarios nostros Hibernie qui pro tempore erunt seu eorum loca tenentes aut eorum precepta vel mandata seu billas nullatenus capiantur nec imprisonentur Et si contrarium factum fuerit tam pro tempore preterito quam futuro contra excedentes juxta deliberationem consilii nostri ad querelas gravatorum & conquerentium apponi opportunum remedium faciemus.

CAP. XVII.

ITEM cum per bonum & discretum ministrorum regimen terra & populus solidentur & prospere negotia peragantur sic per horum negligentiam & incuriam insperata procurantur adversa oriuntur injurie & expeditiones varie retrocedunt volumus & pro nostre terreque & populi nostri Hibernie utilitate publica ordinamus quod justitiarius noster Hibernie qui pro tempore fuerit assumptis sibi uno prelato & uno comite de vicinioribus partibus ubi subsequentes inquisitiones fieri debent ac cancellario & thesaurario ac quibusdam aliis de peritioribus justitiariis placearum & baronibus de scaccario ibidem quolibet anno circa anni medium per sacramentum proborum & legalium hominum tam clericorum quam militum aliorumque legalium hominum de comitatu Dublin' & aliis etiam si opus fuerit comitatibus dicte terre nostre Hibernie de gestibus & factis ministrorum nostrorum terre predictæ cancellario thesaurario ac justitiariis de utraque placea & baronibus de scaccario predicto qui in suis placeis sunt iudices & reddunt judicia dumtaxat exceptis qualiter videlicet quilibet in officio suo se habeat & officium suum regat & justitiam vel injurias seu oppressiones vel gravamina aut dampna nobis aut ipsi populo nostro tam in partibus quam in placea sua colore officii sui seu commissionum regiarum sibi inde factarum faciat vel propter munera justiciam pervertat seu quenquam gravet ac de omnibus circumstantiis & aliis que nobis dampnum seu prejudicium & populo nostro injuriam generent vel gravamen diligenter inquireat & de huius singu-

singulis que sic per inquisitiones huiusmodi comperta fuerint nos & consilium nostrum in Anglia sub sigillo suo & sigillis sic assumptorum ac eorum etiam per quos facte fuerint certificet indilate injungentes eidem justiciario quod dictas inquisitiones in forma predicta annuatim capiat & nos inde certificet ut est dictum. Volumus insuper & precipiendo ordinamus quod dicti inferiores ministri nostri exceptis majoribus ministris ut predictum est videlicet eorum singuli in fine cujuslibet anni si opus fuerit ac etiam si cum remoti fuerint ab officiis suis statim post remotiones suas huiusmodi coram prefato justiciario & aliis assumendis predictis de excessibus suis & aliis supradictis tam ad nostram quam populi nostri & singularem personarum de eodem populo sectam respondeant & justiciam subeant secundum legem & consuetudinem terre nostre Hibernie antedictæ quod per dictum justitiarium fieri volumus & mandamus ac idem justitarius & alii sibi assumpti nos & consilium nostrum in Anglia quotiens opus fuerit etiam certificent de statu ejusdem terre nostre & negotiorum nostrorum ibidem ac gestibus ministrorum predictorum.

CAP. XVIII.

ITEM licet tam illi de Hibernia Anglici oriundi quam ipsi de Anglia nati & in Hibernia conversantes sint veri Anglici & sub nostris degant dominio & regimine & eisdem legibus juribus & consuetudinibus utantur varie tamen dissensiones & manutentionie ratione nationis inter ipsos de Hibernia & illos de Anglia natos sunt suborte & fiunt hinc & inde unde nonnulla mala hactenus contigerunt & de futuris majoribus est timendum nisi super hoc remedium apponatur volumus & firmiter precipimus quod dictus justiciarius noster vocatis ad se cancellario & thesaurario nostris Hibernie ac quibusdam prelatibus & comitibus quos evocandos noverit cum in vicinis partibus fuerit de huiusmodi dissensionibus cum oriatur & manutentionis ac de nominibus illorum huiusmodi dissensiones & manutentiones & se partes facientium sepe & sepius cum opus fuerit serventer inquirat & delinquentes servato processu debito cum inde convicti seu culpabiles inventi fuerint per imprisonment corporum & graves redemptiones nobiscum faciendas & alias prout justum fuerit puniat & castiget cum tales dissensiones & manutentionie non aliud sapiant quam scisma & divisiones ac proditio- nes quodammodo in populo nobis subdito procurare.

CAP. XIX.

ITEM cum firmarii officii clerici mercati in Hibernia lucra propria sitientes non dicti officii debitum juxta formam statuti inde editi nec alias rationabiliter exequantur set communiter pro finibus & aliis redemptionibus mensuras & alia instrumenta ad officium illud spectantia non vident nec examinant nec frangunt falsa nec bona consignant nec alias delinquentes debite puniunt & sepiissime fines nobis coram eis factos & amerciamenta ad nos pertinentia in rotulis suis inserta & irrotulata solutis eis pecunia aut muneribus aliis ab ipsis culpabilibus fines

& amerciamenta hujusmodi ad nos sic spectantia ab eorum rotulis vel radendo delent vel novos scriptes rotulos faciunt in quibus ipsa fines & amerciamenta sic deleta non scribunt set extra dimittunt & fines & amerciamenta facta & non irrotulata remittunt & alias falsitates extorsiones oppressiones gravamina & excessus tam nobis quam populo nostro in partibus illis quasi per totam Hiberniam faciunt & ea ac alia predicta fecerunt remiserunt & perpetrarunt in nostri contemptum & prejudicium & ipsius populi destructionem & injuriam manifestas ac contra justitiam & formam statuti predicti volumus & firmiter precipimus quod justitiarius noster Hibernie qui pro tempore fuerit in singulis comitatibus & partibus per quos transierit associatis sibi prelato loci & aliquo comite seu alio nobili vel milite earundem partium vicinarum de predictis falsitatibus extorsionibus oppressionibus gravaminibus & excessibus & omnibus supradictis per ipsos firmarios quomodolibet perpetratis & de ipsorum factis & gestibus in hac parte tam ad sectam nostram quam aliorum quorumcunque inde conqueri volentium tam de tempore preterito quam futuro inquirat & versus eos procedat & contemptus falsitates extorsiones oppressiones gravamina & excessus ac alia predicta audiat & terminet nec non delinquentes & culpabiles cum tales inventi fuerint castiget & puniat secundum legem & consuetudinem terre nostre Hibernie antedictas & nos & consilium nostrum in Anglia de nominibus sic culpabilium ac de falsitatibus extorsionibus oppressionibus & gravaminibus & aliis predictis sub sigillis ipsius justitarii & sibi associatorum distincte & aperte de tempore in tempus nichilominus certificet ex certa causa. In cujus &c. T. R. apud Westm^r xxv^a die Octobrⁱ.

Per ipsum Regem & Consilium.

Statutes made at *Westminster*, Anno 34 EDW. III.
and *Anno Dom.* 1360.

THESE be the things which our lord the King, the prelates, lords, and the commons have ordained in this present parliament holden at Westminster the Sunday next before the feast of the conversion of St. Paul, to be holden and published openly through the realm.

CES sont les choses queles nostre seigneur le Roi-prelatz seignurs & la commune ont ordinez en cest present parlement tenuz a Westmustier le dymenge prochein devant la feste de la conversion de Saint Poul a tenir & publier overtment parmy le roialme cestafavor.

CAP. I.

sort of persons shall be justices of peace; and what authority they shall have.

imerement qe en chescun
ountee d'Engleterre soient
ez pur la garde de la pees
ignor & ovesqe lui trois
aire des meultz vauze du
es ensemblement ove a-
sages de la ley & eient
de restreindre les messie-
riours & touz autres
ours & de les poursuivre a-
prendre & chastier selonc
respas ou mesprison & de
emprisoner & dument
selonc la ley & custumes
dialme & selonc ce qils
nt mieultz affaire par
discretions & bon avise-
& auxint de eux enfor-
& denquere de touz ceux
nt este pillours & robe-
es parties de dela & sont
evenuz & vont vagantz
veillent travailler come
eient avant ces hours & de
lire & arester touz ceux
urront trover par endite-
ou par suspicion & les
e en prison & de pren-
re touz ceux qi sont de
fame ou ils seront trou-
ussant seurete & mein-
de leur bon port devers
i & son poeple & les au-
tuellement punir au fin qe
eple ne soit par tieux rio-
trouble nendamage ne la
enblemy ne marchantz
es passantz par les hautes
yng du roialme destour-
ie abaiez du peril qe pur-
enir de tieux messieurs
ixint doit & terminer a
te le Roi tote manere de
ies & trespas faites en
ne le countee selonc les
& custumes avantdites &

FIRST, That in every county of England shall be assigned for the keeping of the peace, one lord, and with him three or four of the most worthy in the county, with some learned in the law, (2) and they shall have power to restrain the offenders, rioters, and all other barators, and to pursue, arrest, take, and chastise them according to their trespasss or offence; (3) and to cause them to be imprisoned and duly punished according to the law and customs of the realm, and according to that which to them shall seem best to do by their discretions and good advisement; (4) and also to inform them, and to inquire of all those that have been pillors and robbers in all the parts beyond the sea, and be now come again, and go wandering, and will not labour as they were wont in times past, (5) and to take and arrest all those that they may find by indictment, or by suspicion, and to put them in prison; (6) and to take of all them that be not of good fame, where they shall be found, sufficient surety and mainprise of their good behaviour towards the King and his people, and the other duly to punish, to the intent that the people be not by such rioters or rebels troubled nor endamaged, nor the peace blemished, nor merchants nor other passing by the highways of the realm disturbed, nor put

Who shall be justices of the peace, and what authority they shall have.

1 Ed. 3. stat. 2. c. 16.

2 Ed. 3. c. 6.

18 Ed. 3. stat. 2. c. 2.

13 R. 2. stat. 1.

c. 7.

2 H. 5. stat. 1.

c. 4.

Justices of
peace may
hear and de-
termine felo-
nies and tres-
passes.

Commissions
of general in-
quiries shall
cease.

Fines for tres-
passes shall be
reasonable.

in the peril which may hap-
pen of such offenders. (7)

And also to hear and deter-
mine at the King's suit all
manner of felonies and tres-
passes done in the same county,
according to the laws and cus-
toms aforesaid: (8) and that
writs of *Oyer* and *Determi-*
ner be granted according to the
statutes thereof made, and that
the justices which shall be
thereto assigned be named by
the court, and not by the
party. (9) And the King

will, that all general inquiries
before this time granted with-
in any seignories, for the mis-
chiefs and oppressions which
have been done to the people

by such inquiries, shall cease utterly and be repealed; (10)
and that fines, which are to be made before justices for a tres-
pass done by any person, be reasonable and just, having regard
to the quantity of the trespasss, and the causes for which they be
made,

C A P. II.

*No purveyance shall be made but for the King, the Queen,
and the King's eldest son.*

There shall be
no purveyance
made but for
the King, the
Queen, and
the King's
eldest son, &c.

ITEM, it is accorded, That
taking shall not be from
henceforth made by other
than the purveyors of the
King, of the Queen, and of
the prince their eldest son; and
that if any other man's pur-
veyors make such takings, it
shall be done of them as of
people which do without war-
rant, and their deed judged as
a thing done against the peace
and the law of the land; and
such as do make themselves
purveyors in such manner shall
be duly punished.

36 Ed. 3. c. 2.

ITEM accorde est qe prises
desore ne soient faites par
autres qe par les purveours le
Roi madame le Roine & le
Prince leur eisme filtz & qe si
purveours des autres facent
tieu prises soit fait de eux come
des gentz qi sount sanz ga-
raunt & leur fait jugge come
chose faite contre la pees & la
ley. de la terre & soient tieux
qi se sount purveours en la
manere susdit duement puniz.

C A P. III.

When pur-
veyances
made for the
Queen and
prince shall be
paid for.

When things purveyed for the Queen and Prince shall be paid for.

ITEM, of purveyances made to the use of the Queen, and
of the prince, of poultry and of other small things, payment
shall

be made in hand upon the taking, and of other great yances within the month or six weeks, in the counties they shall be taken. (2) And that the number of such yors be abridged in as much as conveniently may, for the id quietnes of the common people.

CAP. IV.

That sort of people shall be returned upon every jury.

Item por ce qe viscontes & tres ministres sovent ar- leur panels en tote ma- lenquestes des gentz pro- & pluis lointifs du coun- nont conaissance du fet : lenqueste serra prise. le est qe tieu paneles foi- ites des plus profcheins qi ne sont pas suspectes ocurez & qe les viscontes ers & autres ministres qi a lencontrer soient puniz t les justices qi la dite ste prendra solonc la ite de leur trespas sibien s le Roi come devers le pur la quantite du da- qil ad suffert en tieu ma-

ITEM, because that the sheriffs and other ministers often do ar- ray their panels in all manner of inquests of people procured, and most far off from the counties, which have no knowledge of the deed whereof the inquest shall be taken; (2) it is accorded, That such panels shall be made of the next people, which shall not be suspect nor procured; (3) and that the sheriffs, coroners, and other ministers which do against the same shall be punished before the justices that take the said inquest, according to the quantity of their trespasss, as well against the King as against the party, for the quantity of the damage which he hath suf- fered in such manner.

What sort of people the she- riff shall re- turn upon e- very jury.

21 Ed. 1. stat. 1.
28 Ed. 1. stat. 3.
c. 9.
20 Ed. 3. c. 6.
41 Ed. 3. c. 11.
Regist. 117.
178.

CAP. V.

el weight shall be put out. Buying and selling shall be by equal balance.

Item est acorde qe ceux ferront assignez de gar- a pees eient poair den- des mesures & auxint ois selonc lestatut ent fait u regne nostre seignur le int & quint en quel est nue la forme qe sensuit ce qe &c. *prout in stat. 25 3. stat. 5. c. 9. vide ante 5. tom. 2.*

ITEM, it is accorded, That they which shall be assign- ed to keep the peace shall have power to inquire of measures, and also of weights, according to the statute thereof made the five and twentieth year of the reign of our lord the King, (2) wherein is contained the form that followeth: *Whereas very great damage, &c. as in 25 Edw. 3. stat. 5. c. 9. vide ante fol. 55. vol. 2.*

25 E. 3. stat. 5. c. 9.
Justices of the peace shall in- quire of weights and measures.
Auncel weight shall be put out. Buying and selling shall be by equaba- lance.

CAP. VI.

All measures shall be according to the King's standard, &c.

Ex edit. Rast.
Measures.

Bushel.

Standard.

Purveyors.
Justices.

ITEM, whereas it is contained in the Great Charter, that one measure be used through the realm, which charter hath not been holden well in this point before this time: it is accorded and assented, That all the measures, that is to say, bushel, half bushel, peck, gallon, pottle, and quart through England, within franchises and without, shall be according to the King's standard. And the quarter shall contain eight bushels by the standard and no more. And every measure of corn shall be striked without heap, saving the rents and fermes of lords, which shall be measured by such measure as they were wont in times past. And the purveyors of the King, the Queen, and of all other, shall make their purveyances by the same measure striked, and in the same manner. And that at all times, when need shall be, the King shall assign certain justices in every county of England, to enquire hear and determine upon the points aforesaid, and to make punishment thereupon according to every trespass, as well at the suit of the party as at the King's suit. So always that all manner of franchises be saved to the lords in all points, which things the King will that they shall be cried in every county, within franchise and without, betwixt this and the feast of Easter next coming, to the intent that they be holden and kept in all points. And that the said keepers of the peace inquire and punish all those whom they shall find to have done against the said statute, after the said proclamation made. And also the said proclamation shall be made in cities, boroughs, and towns enfranchised, that the said articles be holden and kept in all points, upon the pains contained in the statute, made the xxviii. year of our sovereign lord the King that now is, touching the city of London, and other cities and boroughs of the realm. And if they keep not the said articles, the King in their default shall do the same statute, made of the same pains, to be put in execution against them.

11H.7.c.4.
Rep. by 21 Jac.
1. c. 8.

CAP. VII.

An attaint will lie as well in plea real as personal.

An attaint
doth lie as well
in plea real as
in plea personal.

ITEM, it is accorded against the falshood of jurors, That every man against whom they pass, may have attaint as well in plea real as personal; (2) and that the attaint be granted to the poor, which will assie, that they have nothing whereof to make fine (saving their countenance) without fine, and to all other by casy fine.

ITEM acorde est contre la fauxine des jurours qe chescun homme contre qi ils passent puisse avoir latteint si bien en plee reale come personele & qe latteint soit grante as povres qi voillent affier qils nont riens de ent faire fin sauve lour contenance saunz fin & as touz autres par eise fin.

3 Ed. 1. c. 38.
1 Ed. 3. stat. 1.
c. 6.
3 Ed. 1. c. 6, 7.
28 Ed. 3. c. 8.

CAP. VIII.

penalty of a juror taking reward to give his verdict.

Item que en chescun pleeeunt lenqueste ou lassise i aucun des parties vouir vers ascuns des jurours pris de son adverser ou pur dire son verdit soit eit sa plainte maintenant lle devant les justices de queux ils jurerunt & que our soit mis a respoudre nul delai & fils pledent iis que enqueste soit pris enant. Et si nul homme que la partie vodra fuyr Roi vers le jurour soit termine come dessus est Et si le jurour soit attaint dautre que a la parface fin que la partie que ait la moitie du fin & que rties au plee recoverent lamages par taxation de est & que le jurour issint t eit la prisonne dun an emprisonnement le Roi e que ne soit pardone pur n. Et si la partie voudra ar brief devant autres justices fa fuyte en la forme dite.

ITEM, That in every plea, whereof the inquest or assise doth pass, if any of the parties will sue against any of the jurors, that they have taken of his adversary, or of him, for to give their verdict, he shall be heard, and shall have his plaint by bill presently before the justices before whom they did swear, and that the juror be put to answer without any delay; (2) and if they plead to the country, the inquest shall be taken presently. (3) And if any man other than the party will sue for the King against the juror, it shall be heard and determined as afore is said. (4) And if the juror be attainted at the suit of other than the party, and maketh fine, the party that sueth shall have half the fine; (5) and that the parties to the plea shall recover their damages by the assessment of the inquest; (6) and that the juror so attainted have imprisonment for one year, which imprisonment the King granteth that it

The punishment of a juror taking reward to give his verdict.

not be pardoned for any fine. (7) And if the party will sue by writ before other justices, he shall have the suit in form afore said.

5 Ed. 3. c. 10.
38 Ed. 3. c. 12.
Regist. 188.

CAP. IX.

Statutes of 23 Edw. 3. cap. 1. and 25 Edw. 3. Stat. 1. c. 1 and 2. touching labourers, carpenters, Masons, &c. affirmed.

Item, it is accorded in this present parliament, That the statute of labourers of old times made, shall stand in all points, except the pecuniar pain, which from henceforth is accorded, that labourers shall not be punished by fine and ransom. And assented, That the said statute shall be enforced in punishment of labourers, in the form following: that is to say, that lords of towns may take and imprison them by fifteen days, if they will not justify themselves. And then to send them to the

Ex edit. Rast.
Labourers.

Mainprise.
Sheriff.
Jailour.
Workmen
and labourers.
Carpenters.
Masons.

the next goal, there to abide till they will justify them, by the form of the statute. And that the sheriff, jailor nor other minister shall not let them to mainprise nor bail, and if he do, he shall pay to the King ten pound, and to the party an hundred shillings: nor that the sheriff, jailor, nor other minister shall take no fee nor portorage of prison, nor at his entering, nor at his going out, upon the same pain. And that as well carpenters and masons be comprised of this ordinance, as all other labourers servants and artificers. And that the carpenters and masons take from henceforth wages by the day, and not by the week, nor in other manner. And that the chief masters of carpenters and masons take four pence by the day, and the other three pence or two pence according as they be worth. And that all alliances and covines of masons and carpenters, and congregations, chapters, ordinances and oaths betwixt them made, shall be from henceforth void and wholly annulled: so that every mason and carpenter of what condition that he be, shall be compelled by his master to whom he serveth, to do every work that to him pertaineth to do, or of free stone, or of rough stone. And also every carpenter in his degree. *But it shall be lawful to every lord or other, to make bargain or covenant of their work in gross, with such labourers and artificers when please them, so that they perform such works well and lawfully according to the bargain or covenant with them thereof made.*

Rep. 3 Eliz. c. 4.

CAP. X.

The punishment of labourers, &c. departing from their service into another county.

Ex edit. Rast.
Artificers.
Sheriffs.
Labourers.

ITEM, labourers and artificers that absent them out of their services in another town, or another county, the party shall have the suit before the justices, and that the sheriff take him at the first day, as is contained in the statute, if he be found, and do of him execution as afore is said, and if he return, that he is not found, he shall have an exigend at the first day, and the same pursue till he be outlawed, and after the outlawry, a writ of the same justices, shall be sent to every sheriff of *England*, that the party will sue to take him, and to send him to the sheriff of the county where he is outlawed, and when he shall be there brought, he shall have there imprisonment, till he will justify himself, and have made gree to the party: and nevertheless for the falsity he shall be burnt in the forehead, with an iron made and formed to this letter F. in token of falsity, if the party grieved the same will sue. But this pain of burning shall be put in respite till saint *Michael* next ensuing, and then not executed, unless it be by the advice of the justices. And the iron shall abide in the custody of the sheriff. And that the sheriff and some bailiff of the franchise be attending to the plaintiff, to put this ordinance in execution, upon the pain afore said. And that no labourer, servant, nor artificer shall take no manner of wages the festival days.

Burning in the
forehead.

Wages.
Rep. 3 Eliz. c. 4.

CAP.

CAP. XI.

labourer or servant do flee to a city or borough, the chief officer upon request shall deliver him up.

M qe si nul laborer servant ou artificer salloigne a citee ou burgh & la parientif veigne au meir & s. & demande la liverree i servant qils lui facent la e sanz delay. Et s'ils le nt de faire eit le pleintif te devers les maire & s devant les justices de rs & si de ce soient at- paient au Roi x li. & a ie c.s.

ITEM, if any labourer, servant, artificer, absent himself in any city or borough, and the party plaintiff come to the mayor and bailiffs, and require delivery of his servant, they shall make him delivery without delay. And if they refuse to do the same, the party shall have his suit against the mayor and bailiffs before the justices of labourers. And if they be thereof attainted, they shall pay to the King ten pounds, and to the party one hundred shillings.

Justices of labourers.
Mayors.
Bailiffs.
Rep. 5 Eliz. c. 4.

CAP. XII.

shall be no forfeiture of lands for treason of dead persons not attainted.

M come la communalte eit pleint des eschetours par colour de lour of- nit sefiz plusours terres i pur treson surmys en es mortes qe unques ne atteintes en lour vies le ad bon regard. Mes qil & ses progenetours te sefiz des forfeitures rre de tout temps le Roi voet ouster de tiel droit l trova la corone seifi & oit voet continuer de forfeitures escheues en aps & en temps son pere manere come ad este dientmeins de sa grace le il voet & graunte qe ux forfeitures escheues aps son ael & touz ses itours pardevant a plu- quenquest ent ferra re- en chancellerie par es- chetour

ITEM, *whereas the commons have complained them of escheators, which by colour of their office have seised divers lands and tenements as forfeit to the King for treason surmised in dead persons, which were never attainted of treason in their lives, the King thereof hath good regard; (2) but because he and his progenitors have been seised of the forfeitures of wars of all times, the King will not exclude himself of such right, whereof he found his crown seised, and will continue his right of such forfeitures fallen in his time, and in the time of his father, in the manner as hath been used: (3) nevertheless, of his special grace, he will and granteth, that of such forfeitures fallen in the time of his grandfather, and all his progenitors before, as soon as an inquest shall be thereof returned in the*

3 Inst. 12.
There shall be no forfeiture of lands for treason of dead persons not attainted in their lives. Confid. on law of forfeit, 45, 97.

chan-

Forfeiture of
dead persons
by present-
ment in eyre,
or in the
King's bench.

chancery by the escheators, or other which have power to inquire, that the tenant shall not be put out of his possession, but shall be warned by *Scire facias*, to be at a certain day to answer to his *Scire facias*, if he will. (4) And if any such forfeiture be now, or shall be seised of the same time, that the King's hand shall be out thereof; (5) so always, that in all other cases of forfeiture for treason of dead persons not attainted or judged in their lives, their heirs, nor their land-tenants shall not be impeached nor challenged, nor of any other forfeiture, except the forfeitures in old time judged after the death of the persons by presentment in eyre, or in the King's bench, as of felons of themselves and other.

chetour ou autre qi poair ad denquere qe le tenant ne soit pas ouste de sa possession mes soit garny par Scire facias destre au certain jour de respoundre a cel Scire facias fil voudra. Et si nulle tiele forfaiture soit ore ou serra seise de cel temps qe la main le Roi ent soit ouste issint toutes voies qen touz autres cas de forfaiture de trefon des persones mortz nient atteintz ne juggez en lour vies ne soient pas lour heires ne lour terre tenantz empeschez ne challengez ne de nulle autre forfaiture forspries les forfeitures auncienement ajuggez apres la mort des persones par presentementz en eyre ou en baunk le Roi come des felons de soi & autres.

CAP. XIII.

By what sort of people, and in what place and manner, an escheator shall take his inquest.

Dyer, 169, 170.
By what sort
of people in
what place
and manner
an escheator
shall take his
inquest.

ITEM, it is accorded, That every escheator shall take his inquests of his office of good people and lawful, which be sufficiently inherited and of good fame, and of the same county where the inquiry shall be; (3) and that the inquests so taken be indented betwixt the escheators and the jurors; (3) and if it be otherwise done, that such inquests be holden for void. And the King will, that such inquests be taken in good towns openly, and not privily.

ITEM acorde est qe chescun eschetour preigne ses enquestes de son office des bones gentz & loialx qe soient enheritez sufficealment & de bone fame & de mesme le countee ou lenquerre se ferra & qe les enquestes issint prises soient endentez entre les eschetours & les jurours & si autrement soit fait qe tieles enquestes soient tenus pur nulles. Et le Roi voet qe tieles enquestes soient prises en bones villes overtement & nemic en prive.

36 Ed. 3. c. 13.
23 H. 6. c. 17.
1 H. 8. c. 8.
3 H. 8. c. 2.

CAP. XIV.

In what court traverses of offices found before escheators shall be tried.

ITEM, it is accorded, That where lands or tenements be seised into the King's hand by office of the escheator, containing that the King's tenant made thereof alienation without the King's licence, or that the King's tenant by knights service died seised of the lands and tenements aforesaid in his demesne as of fee, and his heir within age; (2) and after the cause certified into the chancery, and he whose lands be seised come into the chancery, and will traverse the office, which was first taken by the King's commandment, and that the said lands be not seisable: he shall be thereto received, (3) and the process shall be sent into the King's bench to try according to the law, and further to do right.

Traverses of offices found before escheators shall be tried in the King's bench. 4 Co. 56. 36 Ed. 3. c. 13. 2 & 3 Ed. 6. c. 8. 12 Car. 2. c. 24.

CAP. XV.

A confirmation of those alienations which the tenants of King Henry the third, &c. did make.

ITEM, it is accorded, That the alienations of lands and tenements made by people which did hold of King Henry, great grandfather to the King that now is, or of other Kings before him, to hold of themselves, that the alienations shall stand in their force, saving always to our lord the King his prerogative of the time of his grandfather, his father, and of his own time.

Those alienations which the tenants of King H. 3. and other Kings before him did make confirmed. 12 Car. 2. c. 24.

CAP. XVI.

Non-claim of fines shall hereafter be no bar.

ITEM est acorde qe plee de nounclaym des fins qe sont desore a leyer ne soit pris ne tenuz pur barre en temps avenir.

ITEM, it is accorded, That the plea of *nonclaim* of fines, which from henceforth be to be levied, shall not be taken nor holden for any bar in time to come.

Nonclaim of fines shall be no bar hereafter. Co. lit. 162. a. Vid. 4 H. 7. c. 24. 31. H. 8. c. 36.

CAP. XVII.

Merchandises may be carried into and brought out of Ireland.

ITEM acorde est qe touz marchantz sibien aliens come denzeins puissent venir en Irlande ove leur marchandises & dilloeqes retourner franchement ove leur marchandises & vitailles saunz fin ou rauncien prendre de eux sauve totesfoits au Roi ses aunciens custumes & autres devoirs.

ITEM, it is accorded, That all the merchants, as well aliens as denizens, may come into Ireland with their merchandises, and from thence freely to return with their merchandises and victuals without fine or ransom to be taken of them, saving always to the King his ancient customs and other duties.

Merchandises may be brought into and carried out of Ireland.

CAP.

CAP. XVIII.

They which have lands in Ireland, may carry their goods thither, and bring them again.

They who have lands in Ireland may carry their goods thither and bring them again.
17 Ed. 1. c. 3.

Repealed as to cattle, by
18 Car. 2. c. 2.

ITEM, That the people of *England*, as well religious as other, which have their heritage and possessions in *Ireland*, may bring their corn, beasts, and victuals to the said land of *Ireland*, and from thence to recarry their goods and merchandises into *England*, freely without impeachment, paying their customs and their devoirs to the King.

ITEM qe gentz d'Engleterre sibiien religieuses come autres qont lour heritages & possessions en Irlande puissent mener lour bledz bestes & vitailles a la dite terre d'Irland & dilloques remener lour biens & marchandises en Engleterre franchisement & saunz empeschement paient lour custumes & autres devoirs au Roi.

CAP. XIX.

No custom or subsidy shall be paid for canvas to pack wool in.

No custom or subsidy shall be paid for canvas to pack wool in.

ITEM, because that merchants, aliens, and denizens, by an evil custom risen of late, have been constrained to pay custom and subsidy for their canvas, with which their wools be packed; (2) it is accorded, That such canvas with their corners shall from henceforth be allowed to them without paying custom or subsidy for the same.

ITEM pource qe les marchantz aliens & denzeins par une malveise custume leve de novel ont este constreintz de paier custume & subside pur lour canevace deins quel lour leines sont packes acorde est qe tieu canevace ensemblement ove lour corners lour soient defore alloues sanz ent paier custume ou subside.

CAP. XX.

No corn shall be transported but to Calais and Gascoign.

Passage of corn.
Rep. by
21 Jac. 1. c. 28.

ITEM, it is accorded, That the passage of corn shall be defended in all the parts of *England*, so that none have licence nor warrant to pass with such corn in any wise, unless it be to *Calais* or *Gascoign*, or to other special places, which it behoveth that the King do to be garnied of the corn of *England*, and that at his own ordinance.

CAP. XXI.

A confirmation of a former grant to denizens to transport wool beyond sea.

Passage of wools.

ITEM, whereas in the parliament late made upon the ordinance of the staple in *England*, it was ordained, That merchants aliens should bring wools and other merchandises of the staple over the sea, and that no merchant denizen should make passage of them. And after by the assent of the King and of his counsel for certain enchesons, passage was granted of the said merchandises of denizens; and thereupon proclamation made and sent to the customers to divers ports, to suffer them to pass till

certain time, paying the customs and subsidies as aliens, cause that the said merchants denisens doubteth them to be reached in time to come for their merchandise, which they passed by virtue of such grant and proclamation, foras- much as they were made out of the parliament: the King will provide for their surety in this behalf, hath ratified and confirmed in this present parliament the passage that they have of wools, and of their other merchandises to the parts be- yonde the sea, after the grant and proclamation aforesaid. And he hath to them such passage from henceforth without challenge or impeachment of any, so always that they pay the same cus- tom and subsidy till St. Michael next coming, as they have payed before this time after that the said subsidy was granted.

C A P. XXII.

How be shall use another man's hawk that taketh it up.

En cest l'ordene est que queconque per- dunt ou troeve faucon terlelet ou laneret ou faucon ou faucon qe soit perdu de ignur qe maintenant il le te au viscount du countee ou viscounte face proclama- tion en toutes les bones villes ou countee q'il ad un tiel faucon en garde. Et si le seigneur le perdi ou aucun des vassals pur lui chalanger ou veie resonablement qe ce seignur paie pur ses costes & eit le faucon. Et si y veigne deins les quatre mois pur lui chalenger q'adon- viscounte eit le faucon ferree a celui q' il le prist sil mout homme & sil soit un homme destat d'avoir en que le viscounte rebaille le dit faucon parant de resonables coustages pur le q'il lavoit en garde. Et se il eit pris tiel faucon & le seignur a qui il estoit des fauconers ou q' il le mout seignur & de ce soit t'oit la prison de deux & rend au seignur le pris ou faucon issint concele ou parte sil eit de quoi & si

n. II.

noun

ITEM, it is accorded in this present parliament, That every person which findeth a faulcon, tercelet, laner, or laneret, or other hawk that is lost of their lord, that presently he bring the same to the sheriff of the county, and that the sheriff make proclamation in all the good towns in the county, that he hath such a hawk in his custody. (2) And if the lord which lost the same, or any of his people come to challenge it, and proveth reasonably that the same is his lord's, let him pay for the costs, and have the hawk. (3) And if none come within four months to challenge it, that then the sheriff have the hawk, making gree to him that did take him, if he be a simple man; and if he be a gentleman, and of estate to have the hawk, that then the sheriff redeliver to him the hawk, taking of him reasonable costs for the time he had him in his custody. (4) And if any man take such hawk, and the same conceal from the lord whose it was, or from his faulconers; or who- soever taketh him from the

In what sort one man's hawk taken up by another shall be used.

L

lord,

lord, and thereof be attained, noun eit plus longe demoeure
shall have imprisonment of two en prison.
years, and yield to the lord the

price of the hawk so concealed and carried away, if he have
37 Ed. 3. c. 19. whereof, and if not, he shall the longer abide in prison.

An ordinance of herring, made *Anno 35 E D W. III.*
and *Anno Dom. 1360.*

*All persons may buy herring in the fair at Yarmouth openly,
and not privily. No man shall enter into a bargain of
herring until the first chapman have done with it.*

A rehearsal of
the statute of
31 Ed. 3. stat. 2.
c. 17, 2. and the
inconvenien-
ces thereof.

THOUGH that late at the
procurement of some doing
us and our council to understand,
that because that the hests of our
town of great Yarmouth, which
lodge the fishers coming there with
their herring, in the time of the
fair, will not suffer the said fishers
to sell their herrings, nor to med-
dle with the sale of the same, but
sell them at their own will as dear
as they will, and give the fishers
that pleaseth them, so that the fish-
ers do withdraw themselves to come
there, and the herring was set at
a greater dearth than it was before:
(2) among other things it was or-
dained by us and our council, that
the said fishers of herring should be
free to sell their herring to all peo-
ple that will come to the said fair
of Yarmouth, without any dis-
turbance of their hosts or any other.
(3) And when the said fishers
would sell their merchandises in
the port, they should have their
hosts with them, if they would be
there, and in their presence, and in
the presence of other merchants
openly should sell their merchandises
to whom they pleased; (4) and if
other merchants present would have
part of the said merchandises, every
of them should have for his part
upon the * taking after the rate of
the same merchandises so sold; (5)
and the said sale shall be made from the

EDWARD par la grace de
Dieu Roi d'Engleterre seig-
nur d'Irlande & d'Aquitaine a
touz ceux as queux cestres let-
tres vendront saluz. Coment
qe nadgairs a procurement daf-
cuns fesantz entendre a nous &
nostre conseil qe par cause qe
les hostes de nostre ville de
grande Jernemuth qi herber-
gent les pescheours venantz il-
loeqs od leur harang en temps
de feire ne voleient soeffrir les
ditz pescheours vendre leur ha-
rang ne meller de la vente di-
celle eins le vendent a leur vo-
lente demesme si chier come ils
voleient & donerent as pesche-
ours ce qe leur plust si qe les
pescheours se retreherent de ve-
nir illoeqs & le harang feust
mys a plus grant chiertee qe
devant ne feust entre autres cho-
ses ordine estoit par nous &
nostre conseil qe les ditz pes-
cheours de harang ferroient
francs de vendre leur harang
as toutes gentz qe vorroient ve-
nir a la dite faire de grand Jer-
nemuth sanz nulle desturbance
de leur hostes ou autres que-
conques & quant les ditz pesche-
ours voudroient vendre en port
leur merchandises averoient
leur hostes ovesqe eux s'ils y
voudroient estre & en leur pre-
sence & en presence d'autres
marchantz

• Price.

hantz en apert vendroient
unarchandises a qi qe lour
& si autres marchandz
ntz voudroient avoir part
ites marchandises chescun
oit ent sa part pur le pris
c lasserant de mesmes les
handises issint vendues &
it la dite vente faite de so-
evant tanqe a solail rescours
emie devant napres & qe
hoste nautre nachaterait
ag pur pendre en meson
coveine nen autre manere
haut le last de qarant soldz
entmeinz pur ceo qe mon-
st a nous & a nostre con-
ar petition en cest present
ment qe la vente de harang
tout encherri & le poeple
ement endamage per les
z susditz cest assavoir qe
rs marchantz venantz a la
sibien laborers & servantz
autres bargainent le ha-
& chescun de eux par ma-
x par envie encrest sur au-
si un proffre quarant soldz
utre proffre dys solds plus &
rtz seisant soldz & issint
un surmount autre en le
une & tiels profres se ex-
ent a plus qe le pris del
ag pur quel le pescheour
ndist a vendre a comence-
& quaut chescun qe cla-
part del harang pur le pris
le avera sa part & le harang
issint departi entre eux le
eour est tante greve & ta-
ur la coillet de son argent
il demanderoit des tantes
nes qil perde ses marrez &
utage de sa pescherie & aus-
en ceo qe nul harang fresch
it mis a vent fors de solail
it tanqe a solail rescours &
pas devant napres ceo est
unte perte des pescheours
eirement del harang & da-
du poeple qe lachata car
le

*the sun-rising till the sun going
down, and not before nor after;
(6) and that no hostelers, nor other,
buy herring to hang in his house
by covin, nor in other manner, at
an higher price the last than forty
shillings: (7) nevertheless, be-
cause it is shewed to us and to our
council by petition in this present
parliament, that the sale of her-
ring is much decayed, and the peo-
ple greatly endamaged by the points
aforesaid, that is to say, that ma-
ny merchants coming to the fair,
as well labourers and servants, as
other, do bargain for herring, and
every of them by malice and envy
increase upon other, and if one
proffer forty shillings, another will
proffer ten shillings more, and the
third sixty shillings, and so every
one surmounteth other in the bar-
gain, and such proffers extend to
more than the price of the herring
upon which the fisher's proffered it
to sell at the beginning: (8) and
when every man claimeth his part
of the herring for the price accord-
ed, he shall have his part, and the
herring shall be so divided amongst
them, that the fisher is so much
grieved and delayed in the gather-
ing of his moneys, that he should
demand of so many persons, that he
leeseth his mart and the advan-
tage of his fishing; (9) and also
herein, that no fresh herring is put
to sale but from the sun-rising till
the sun going down, and not before
nor after, which is to the great
loss of fishers, and appairing of the
herring, and damage of the people
that shall buy the same; for the
fishing is more by night than by
day, and often it chanceth, that
the fishers be so long and so charged,
that they come to the town after
sun going down, or little before,
so that they cannot sell their her-
ring in the time for the sale limi-
ted, so that they must abide all the*

† Tides;

† Tides.

All persons may buy herring in the fair-time at greath Yarmouth, openly, and not privily.

No man shall enter into a bargain of herring until the first chapman hath done with it.

A fisher may sell his herring at any time when he cometh with it.
‡ Tide.

night and the day after upon the sale of their herring, and lose many mart and profits of their fishing: (10) we perceiving the mischiefs and grievances aforesaid, by the advice and assent of our parliament, will and grant, that it shall be lawful to every man, of what condition that he be, merchant or other, to buy herring openly, and not privily, at such price as may be agreed betwixt him and the seller of the same herring; (11) and that no man enter in bargain upon the buying of the same till he that first cometh to bargain shall have an end of his bargain agreeable to the seller, and that none increase upon other during the first bargain, upon pain of forfeiture to us the double of his proffer, but every man shall have the herring so bought according to the bargain thereof made. (12) And that every fisher may deliver and sell his herring and fish at every mart, when he cometh to the said town of *great Yarmouth*, without any disturbance or impeachment, notwithstanding any ordinance made to the contrary before this time. In witness whereof we have caused these our letters patents to be made. Given at *Westminster* the twentieth day of *February*, in the five and thirtieth year of our reign of *England*.

le pescherie est plus par nuyt que par jour & sovent avient que les pescheours sont si loins & si chargez qil vieignent a la ville apres le solail rescours ou poi devant issint qils ne purront lour harang vendre au temps sur ceo limite si que il lour couviendra demorer tout la nuyt & le jour apres sur la vente de lour harang & perdront plusieurs marrez & le profit de lour pescherie nous attendantz les grevances & meschiefs avantditz par avis & assent de nostre dit parlement volons & grantons que bien lise a chescun homme de quel condition qil soit marchand ou autre dachatre harang en apert et non pas privement a tiel pris come purra estre acorde entre lui & le vendour de mesme le harang & que nul entre en bargain sur lachate de harang tant come celui que vient primer pur bargainer avera fini son bargain greable a vendour & que nulli profite encrees sur autre durant le primer bargain sur peine de forfaire devers nous le double de son profite mes eit chescun le harang issint achate solom son bargain ent faite. Et que chescun pescheour peusse vendre & deliverer son harang & pesson a chescun marre quant il viendra a la dite ville de grande Jernemuth sanz ascun destourbance ou empeschement nient contresteaunt nulle ordenance avant ces heures faite au contraire. En tesmoigne-

nance de quelle chose nous avons fait faire cestes noz letters patentes. Don' a Westm' le vintisme jour de Feverer lan de nostre regne trente quint.

Per ipsum regem & concilium in parlamento.

made at *Westminster*, Anno 36 EDW. III.
stat. 1. and *Anno Dom.* 1362.

leur & pleissance de
& amendement des
grevances & oppres-
sion au poeple & en re-
le leur estat le Roi
son parlement tenuz
astier a la quinzime
iel lan de son regne
e a la requeste de sa
par leur petitions
lui en le dit parle-
assent des prelatz
tes barons & autres
dit parlement assem-
raunte pur lui & ses
12 jours les articles
z.

TO the honour and pleasure
of God, and amendement of
the outrageous grievances and op-
pressions done to the people, and in
relief of their estate, (2) King
EDWARD at his parliament hold-
en at Westminster, in the fiftenth
of St. Michael, the six and thir-
tieth year of his reign, at the re-
quest of his commons by their pe-
tition delivered to him in the said
parliament, by assent of the prelates,
dukes, earls, barons, and other
great men in the said parliament
assembled, hath granted for him
and his heirs for ever the articles
underwritten.

CAP. I.

A confirmation of all former statutes.

ement qe la Grand
e & la Chartre de la
les autres estatutz
1 temps & en temps
genitours soient bien
ent tenuz & gardez
ntz.

FIRST, That the Great
Charter and the Charter of
the Forest, and the other sta-
tutes made in his time, and in
the time of his progenitors, be
well and surely holden and
kept in all points.

A confirma-
tion of former
statutes.

CAP. II.

*ance but for the King and Queen. The name of
or changed into buyer. Ready payment shall be
things purveyed, and they shall be appraised.*

for the grievous complaint which hath been made of
ors of victuals of the houses of the King, the Queen,
son, and of other lords and ladies of the realm, the
s own will, without motion of the great men or com-
1 granted and ordained in case of his people, that from
no man of the said realm shall have any taking, but
lf and the Queen his companion. (2) And more-
assent afore said it is ordained and established; That up-
rveyances from henceforth to be made for the houses
ig and the Queen, ready payment shall be made in
is to say, the price for which such victuals be sold
in the markets about. (3) And that the heinous
rveyor be changed, and named buyer. (4) And if
annot well agree with the seller of that which he shall

No purvey-
ance shall be
made but for
the King and
the Queen.

34 Ed. 3. c. 2.

The heinous
name of pur-
veyors shall be
need changed, into
that of buyers

By whom and in what manner appraisement shall be made of things purveyed for the King's house.

No purveyance shall be by menace. No purveyance, but where there is plenty.

The purveyors shall be men sufficient of estate.

Commissions of purveyors shall be renewed every half year.

None shall need to obey purveyors without ready payment.

Corn purveyed shall be struck, and not heaped in measuring. Present payment shall be made for carriage.

Felony to take otherwise than is comprised in the commission.

28 Ed. 3.

stat. 3. c. 2.

4 Ed. 3. c. 3.

5 Ed. 3. c. 2.

30 Ed. 3. stat. 2.

c. 1. 25 Ed. 3.

need, then the takings which shall be made for the said two houses, shall be made by the view, testimony, and appraisement of the lords, or their bailiffs, constables, and four good men of every town, and that by indenture to be made betwixt the buyers and the said lords or bailiffs, constables and four men, containing the quantity of their takings, and of the price, and of what persons. (5) And that the takings be made in convenient and easy manner, without dures, compulsion, menace, or other villany. (6) And that the takings and buyings be made in such places where greatest plenty is, and that in a meet time. (7) And that no more be taken than shall be needful in the season for the said two houses. (8) And that the number of the buyers be diminished in as much as well may. And that such be buyers which be sufficient to answer to the King and his people, and that none of them have deputy, and that the commissions be sealed with the great seal, and every half year redelivered into the chancery, and other newly made: (9) And that in the said commissions be comprised all the matter and manner of their takings and buyings. And that the said commissions be made upon the end of the said parliament, and then all the other commissions or purveyors heretofore made, be wholly repealed. (10) And that no man be bound to obey to the buyers of other lords against their agreement and will, nor to the buyers of the said houses, unless they make ready payment in hand, as before is said: and that no man be put in contempt because of disobedience made in this behalf: (11) and that the takings of all manner of corn and malt for the said two houses, be measured by measure according to the standard, struck, and not by heap: (12) and for the carriages of the said corn and malt, and for all manner of takings and buyings to be made for the said two houses, ready payment be made in hand in the same manner as for the takings and buyings aforesaid. (13) And that there be no more carriage taken than needeth, and shall be necessary in this behalf: (14) and if any buyer after the new commissions made, make any takings or buying, or taking of carriage in other manner than is comprised in their said commissions, he shall have punishment of life and member, as in other statutes is ordained of purveyors.

stat. 5. c. 1, 6, 15. 43 H. 6. c. 1, 2. 12 Car. 2. c. 24.

C A P. III.

The penalty of a purveyor which shall receive a reward to spare or charge one.

The penalty of a purveyor, which shall take a reward to spare one and charge another.

ITEM, That no buyer of victuals, nor takers of carriages, take nor receive of any a gift or any other thing for sparing to be made, nor shall not charge nor grieve any man by occasion of such takings, buyings and carriages, for hatred, evil will, or procuring: (2) if he do, and be thereof attainted at the suit of the party, he shall yield to the party his treble damage, and shall have imprisonment of two years, and also be ransomed at the

the King's will, and after forswear the court. (3) And if the party will not sue, he that will sue for the King shall have the third perty of that which shall be recovered for his labour, and nevertheless the buyer and taker shall have the pain as afore is said in the same article; (4) and that every buyer upon his accompt shall declare and divide severally all the takings and buyings of every county, town, village, and person.

CAP. IV.

Commissions shall be awarded to enquire of purveyors behaviour.

ITEM, To restrain the malice and falshood of buyers of victuals and takers of carriages, commissions shall be made to two good men and lawful, of every county, and the third shall be of the King's house, named in the said commissions, so that if any of the three come not, the two shall proceed to enquire of the behaviour and acts of the said buyers and takers, And how much the same buyers have taken and bought, and how much carriage the said takers have taken severally of every town or singular persons, and to hear and determine the contempt, outrages, and trespasses done in this behalf, as well at the King's suit, as at the suit of every man that will complain of them. (2) And for information to be made to the said justices of the things afore said, the steward, treasurer, and controller of every of the said two houses, shall assemble and call before them all the clerks and other officers whatsoever they be, of every office of the said two houses, and shall see the receipts of the parcels provided in the country and dispended in the said two houses. (3) And at every quarter or half year, they shall certify in the chancery the parcels taken in every town, and of every person, and the chancellor shall send this certificate to the justices which shall be so assigned. (4) And if it be found in the country by evidence of their indictors, or in other manner, that they have taken more than they have delivered into the said two houses, and that they have not paid for that which they have taken, at the suit of the party, or at the King's suit, he shall have pain of life and member, as afore is said. (5) And that this ordinance extend and hold place as well against the purveyors for the great horses of the said two houses, as against the buyers and takers before-named.

^{12 Car. 2. c. 24.}
Commissions awarded to inquire what purveyors have taken, and what they have delivered.

^{4 Inst. 166.}

Purveyors for great horses.

CAP. V.

None shall keep any more horses for the King than be assigned unto him.

ITEM, That no man of the said two houses, hold more of the said horses in the livery, where these houses shall be, than is ordained by a statute of the King's house. (2) And if any do otherwise, it shall be done to him for the horses found over the number limited to him by the said statute, as the statute will. (3) And that no man of the same two houses, of

None shall keep more horses of the King's than be committed to him.

^{14 Ed. 3. c. 19.}

what

The King's
hunters,
faulkners, and
serjeants at
arms.

what estate or condition that he be, hath purveyor or foregoer, to make any purveyance or taking for any man of the said two houses, but that they or their people buy that which they need, of them that will sell the same of their good will, and pay readily in hand, according as they may agree with the sellers: and if they do otherwise, such punishment shall be made upon them, as afore is said of the buyers. (4) And that hunters, faulkners, serjeant at arms, and all other which be at wages or pertaining to the said two houses, shall have the same penance if they offend against the same.

CAP. VI.

No subject's chator shall buy any thing against the owners consent.

It is felony for
any subject's
chator to buy
any thing, but
by the consent
of the owner.

ITEM, That no lord of *England*, nor none other of the said realm, of what estate or condition that he be, except the King and the Queen his wife, shall make any taking by him, or any of his servants, of any manner of victuals, but shall buy the same that they need, of such as will sell the same of their good will, and for the same shall make ready payment in hand, according as they may agree with the seller. (2) And if the people of lords, or of other, do in other manner, and thereof be attained, such punishment of life and of member shall be done of them, as is ordained of the buyers.

7 R. 2. c. 8.
23 H. 6. c. 14.

CAP. VII.

Of what things the mayor and constable of the staple shall take cognisance.

Of what things
only mayors
and constables
of the staple
shall take cog-
nizance.

ITEM, though it be ordained by the statute of the staple, That the mayors and constables of the said staples shall have jurisdiction and cognizance within the towns where the staples be, of the people and of all manner of things touching the staple, and of felonies, mayhems, and trespasss done within the staple: (2) it is accorded and assented, That the said mayors and constables shall have cognizance only of debts, covenants and contracts, and all other pleas touching merchandize and surety of merchandize betwixt merchants which be for merchants known; (3) and procefs of felonies, and all other pleas, as well within the staple as without, shall be at the common law, as they were before the statute of the staple, notwithstanding the said statute: (4) saving always, That the merchants aliens (be they plaintiffs or defendants) may sue their plaints and quarrels, as well of trespasss as of other what they will, before the mayor of the staple, by the law of the staple, or elsewhere at the common law, as is contained in the said statute of the staple. (5) And that the King and all other lords, within their seigniories, have and enjoy their franchises, jurisdictions and privileges, as they had before the same statute made: (6) so always that the mayor of the staple have power to take recognizances of debts of every person, be he merchant or other,

Merchants a-
liens may pro-
secute their
suits before
the mayor of
the staple, or
at the com-
mon law.

27 Ed. 3.
stat. 2. c. 8, 9.
23 H. 8. c. 6.

in

same manner as is contained in the same statute of the

C A P. VIII.

*ally imposed by the bishop upon priests taking more
res than is assigned. What wages a parish priest may*

M, the King, at the prayer of the commons, shewing to him ^{Ex edit. Rastal.} petition, how that priests be become very scant after the pesti- ^{Priest's salary.} the great grievance and oppression of the people, hath spoken archbishop of Canterbury and the other bishops, being in the sent, to set thereupon a covenable remedy, which archbishops and at the motion of the King, and of the great men said in the irliament that they have thereupon ordained in certain, that is

That the pain of parish priests by any manner colour ng above six marks, and other yearly singing, and not ing the cure of souls, taking above five marks, without shop's dispensation and suspension of their office if they the month make not restitution to the use of the church, ch they sing, of that that they have above received. And n of people of holy church, giving above six marks or five to parish priests, or other yearly singing as afore is said, ay the double of that that they do excessively pay, to be ted to the use of alms at the arbitrement of the diocesan place. And all manner priests, intending their proper , as yearly singing, shall serve the parishes and be attend- the cure of souls, as he by the ordinaries of the place, or m to whom he attaineth, shall be required, upon pain ension of their office, which they shall incur upon the if they within the twenty days after that they shall be re-, be not obedient to such requests. And that no priest from one diocese to another, shall be received there to vine service, unless he shew to the diocesan of the place commendatory of the bishop, in whose diocese he last dwelled. Wherfore the King by the assent of the great nd commons hath ordained, That if any secular man of lm pay any more than five marks to any priest yearly in or in other things to the value, or if he pay to such retained to abide at his table, above two marks for his and his other necessities (his table accounted to xl. s.) ereof be attained, he shall pay to the King fully as much aid to the said priest.

^{2 H. 5. stat. 2.}
^{C. 2.}
^{Rep. by 21 Jac.}
^{1. c. 28.}

C A P. IX.

*ever is grieved against these statutes, &c. shall have
relief in chancery.*

M si nul homme se sente
ve au contreire de nul
tibles dessus escriptz ou
contenuz en diverses e-
& viegne en la chancel-
lerie

I TEM, If any man that feel- Whosoever
eth himself grieved contrary finds himself
to any of the articles above- grieved a-
written, or others contained in gainst these
divers statutes, will come into statutes upon
complaint
the

shall have remedy in the chancery.

the chancery, or any for him, and thereof make his complaint, he shall presently there have remedy by force of the said articles and statutes, without elsewhere pursuing to have remedy.

lerie ou aucun pur lui & face sa plainte eit meint illoeqes remedie par for ditz articles & estatutz sanz lours pursuer pur remede voir.

1 Inft. 553.

CAP. X.

A parliament shall be holden once in the year.

A parliament shall be held once in the year.

ITEM, For maintenance of the said articles and statutes, and redress of divers mischiefs and grievances which daily happen, a parliament shall be holden every year, as another time was ordained by statute.

ITEM pur meintenance ditz articles & estatutz redresser diverses meschigrevances qe vieignent den autre soit parlement chescun an sicome autre estoit ordeigne par estatut

4 Inft. 9.

4 Ed. 3. c. 14.

16 Car. 2. c. 1.

CAP. XI.

The three years subsidy formerly granted shall be no example for the future. All merchants may transport wools.

Ex edit. Rastal. Wools.

ITEM, the King by the assent aforesaid, having regard to the commons have granted now in this parliament wools, leather and woollfells to be taken for three years: will grant that after the said term passed, nothing be taken nor commanded of the said commons, but only the ancient custom half a mark, nor that this grant now made, or which been made in times past, shall not be had in example nor of the said commons in time to come. And that the merchandizens may pass with their wools as well as the fore without being restrained. And that no subsidy, nor other charge be set nor granted upon the wools by the merchants nor none other from henceforth, without the assent of the parliament.

27 Ed. 3. stat. 2. c. 3.

CAP. XII.

At what times the four sessions of justices of peace shall be holden.

Ex edit. Pulton.

At what times the four sessions of justices of peace shall be holden.

ITEM, that in the commissions of justices of the peace and of labourers, express mention be made, That the justices make their sessions four times by the year, that is to wit one session within the week of the Epiphany, the second within the second week of Lent, the third betwixt the feasts of Pasche and of S. John Baptist, the fourth within the eight days of S. Michael.

12 R. 2. c. 10.

2 H. 5. stat. 1.

c. 4.

CAP. XIII.

An escheator shall have no fee, nor commit waste in lands. Lands seised upon an inquest taken before an escheator, shall be letten to ferm.

ITEM, for grievous complaint that the King hath heard by his

ITEM pur la grevouise plainte qe le Roi ad oie de son

les eschetours & de lour
ort il voet & ad ordeigne
ent avantdit qe terres sei-
sa mein pur cause de
soient sauvement gardez
rast ou destruction & qe
our eit nul fee de bois
n ne pesson nautze rien
espoigne au Roi des issues
itz annuels provenantz
les terres sanz wast ou
chion faire & fil face au-
nt & de ce soit atteint soit
a la volente le Roi &
al heir les damages au
a sa propre sute sibien
age come de pleine age
it les amys tant come il
nz age la sute pur lui re-
iantz au dit heir de ce qe
issint recovery. Auxint

atres terres seisissez en la
le Roi par enqueste do-
fise devant les eschetours
meisme ceste ordeignance
nance devers les esche-

Et sil eit nul homme qe
challenge ou claym as
issint seisissez qe leschetour
e lenqueste en la chan-
e deinz le mois apres les
issint seizes & qe brief
t livere de certifier la cause
seisine en chancellerie &
es soit oie sanz delay de
fer l'office ou autrement
trer son droit & dilloques
e devant le Roi affaire
discussion sanz attendre
mandement. Et en cas
un veigne devant le chan-
& monstre son droit pur
demonstrance par bones
nces de son auncien droit
n title qe le chancellor par
ne discretion & avis de
il si lui semble qil busoigne
conseil qil lessé & baille
rres issint en debat au te-
rendant ent au Roi la
si au Roi appartient en
manere

*his people of his escheators, and
of their evil behaviour; he will
and hath ordained of the assent
aforesaid, That lands seised in-
to his hands because of ward,
shall be safely kept without
waste or destruction; (2) and
that the escheator have no fee
of wood, fish, nor of venison,
nor other thing, but shall an-
swer to the King of the issues
and profits yearly coming of
the said lands, without doing
waste or destruction; (3) and
if he do otherwise, and thereof
be attainted, he shall be ran-
somed at the King's will, and
yield to the heir the treble da-
mages at his own suit, as well
within age, as of full age; (4)
and his friends, as long as he
is within age, shall have the
suit for him, answering to the
said heir of that which shall be
so recovered. (5) Also of other
lands seised into the King's
hands by inquest of office taken
before the escheators, this or-
dinance and penance shall hold
place against the escheators.
(6) And if there be any man
that will make claim or chal-
lenge to the lands so seised,
that the escheator send the in-
quest into the chancery within
the month after the lands so
seised, and that a writ be de-
livered to him to certify the
cause of his seisin into the
chancery, and there he shall be
heard without delay to traverse
the office, or otherwise to shew
his right, and from thence sent
before the King to make a final
discussion, without attending
other commandments. (7) And
in case that any come before
the chancellor, and shew his
right, by which shewing by
good evidences of his ancient
right and good title, the chan-
cellor*

9 H. 3. stat. 1.
c. 4.
3 Ed. 1. c. 28.
28 Ed. 1. stat. 3.
c. 18, 19.
14 Ed. 3. stat. 1.
c. 13.
Regist. 72.
An escheator
shall have no
fee of the
lands of the
King's wards,
nor commit
any waste
therein.
4 Co. 57.
Cro. El. 523.
Ld. Sommers
arg. in the
banker's case,
77, &c.

13 Ed. 4. c. 8.
4 Co. 59.

Land seised
into the King's
hands by an
escheator shall
be let to ferm
to him which
tendereth a
traverse to the
office.

34 Ed. 3. c. 14.
3 H. 6. c. 16.

cellor by his good discretion and advice of counfel (if it seem expedient to him to have counfel) shall let and demise the lands so in debate to the tenant, yielding thereof to the King the value, if it pertain to the King, in the manner as he and the other chancellors before him have done in times past of their good discretion, so that he find surety that he shall do no waste nor destruction, till it be judged. (8) And that the said escheators take such inquests in the good towns and of good people, and that openly and by indentures to be made between the said escheators and them of the inquests, as another time was ordained by statute. (9) And if any escheator do to the contrary of this said ordinance, he shall have two years imprisonment, and moreover he shall be ransomed at the King's will.

manere come il & les chancellers devant lui devant ces heures de lou discretion issint qil face qil ne fra wast ne destrange il soit ajugge. Et ditz eschetours preignent enquestes en les bones v par bones gentz & ceement & par indentures entre les ditz eschetours de les enquestes come foitz fuist ordeigne par c Et si nul eschetour face a traire de ceste ordeignand dite eit la prisone de deu & outre soit reint a la v le Roi.

By what sort of people, in which place, and in what manner, an escheator shall take his inquests.

1 H. 8. c. 8.

13 H. 6. c. 17.

C A P. XIV.

The fines and amerciaments of labourers, artificers, and servants, shall be to the use of the commons, and distributed among them, during three years.

Ex edit. Raftal.
Fines.
Amerciaments.

ITEM, because that the intent of the lords and commons is in this present parliament, That the comminalties of every the realm shall have the fines and amerciaments, and all other of all manner artificers, servants, and other labourers, and the same be paid to the collectors of the triennial quinzime, another granted to the King for the space of three years, in advantage commons, in discharge of the quinzime: it is ordained in this parliament, That all the money of fines and amerciaments profits, as well such as be levied, as which be to be levied the said three years, shall be levied to the use of the commons and distributed betwixt them, notwithstanding the words of other statute, which be contrary to this declaration and nature. And the collectors of the said money shall not be bound to yield thereof account at the exchequer, but that the justice of peace in every county have power to hear their accounts and compel them to make full distribution.

C A P. XV.

Pleas shall be pleaded in the English tongue, and impleaded in Latin.

ITEM, Because it is often shewed to the King by the prelates, dukes, earls, barons, and all the

ITEM pur ce que m'est soventfoitz au Roi prelatz ducs counts barons

communalte les grantz
 :s qe sont advenuz as
 s du realme de ce qe
 :s custumes & estatutz
 realme ne sont pas com-
 munement en mesme
 ne par cause qils sont
 monstrez & jugez en
 : Franceis qest trop de-
 en le dit realme issint qe
 :tz qe pledent ou sont
 ez en les courtz le Roi
 ourtz dautres nont en-
 ent ne conissance de ce
 pur eulx ne contre eulx
 r sergeantz & autres
 s & qe resonablement
 s leyes & custumes ser-
 plus tost apries & conuz
 :ltz entenduz en la lange
 le dit realme & par tant
 du dit realme se pur-
 eulx gouverner sanz faire
 a la leye & le mieultz
 sauver & defendre ses
 es & possessions & en
 s regions & paiis ou le
 : nobles & autres du dit
 ont este est bon gover-
 t & plein droit fait a
 par cause qe lour leyes
 umes sont apries & usez
 unge du paiis le Roi de-
 le bon gouvernement &
 illite de son poeple & de
 & eschure les maulx &
 efs qe sont advenuz &
 t avenir en ceste partie
 : les causes fudites or-
 & establi del assent a-
 : qe toutes plees qe ser-
 : pleder en ses courtz
 :qes devant ses justices
 :qes ou en ses autres
 ou devant ses autres mi-
 queconques ou en les
 & places des autres
 rs qeconques deinz le
 soient pledez monstretz
 uz responduz debatuz
 :ez en la lange Engleise
 &

*the commonalty, of the great mis-
 chiefs which have happened to di-
 vers of the realm, because the
 laws, customs, and statutes of this
 realm be not commonly holden and
 kept in the same realm, for that
 they be pleaded, shewed, and judged
 in the French tongue, which is
 much unknown in the said realm,
 so that the people which do im-
 plead, or be impleaded, in the
 King's court, and in the courts of
 other, have no knowledge nor un-
 derstanding of that which is said
 for them or against them by their
 serjeants and other pleaders; (2)
 and that reasonably the said laws
 and customs the rather shall be
 perceived and known, and better
 understood in the tongue used in
 the said realm, and by so much
 every man of the said realm may
 the better govern himself without
 offending of the law, and the better
 keep, save, and defend his heritage
 and possessions: (3) and in divers
 regions and countries, where the
 King, the nobles, and other of the
 said realm have been, good govern-
 ance and full right is done to every
 person, because that their laws and
 customs be learned and used in the
 tongue of the country: (4) the
 King, desiring the good go-
 vernance and tranquillity of his
 people, and to put out and
 eschew the harms and mischiefs
 which do or may happen in
 this behalf by the occasions
 aforesaid, hath ordained and
 stablished by the assent afore-
 said, that all pleas which shall
 be pleaded in any courts what-
 soever, before any of his ju-
 stices whatsoever, or in his
 other places, or before any of
 his other ministers whatsoever,
 or in the courts and places of
 any other lords whatsoever
 within the realm, shall be plead-
 ed, shewed, defended, answered,*

Reasons why
 the laws
 should be
 pleaded and
 known in the
 English
 tongue.

17 Car. 1. c. 10.

debated,

Pleas shall be pleaded in the English tongue, and not in the French; and they shall be inrolled in Latin.

Old terms and forms shall be observed in pleading.

Cro. El. 85.

10 Co. 132.

Co. Lit. 304.

Hale's Hist.

Com. Law,

102, 103.

4 Geo. 2. c. 26.

6 Geo. 2. c. 14.

debated, and judged in the *English* tongue, and that they be entered and inrolled in *Latin*; (5) and that the laws and customs of the same realm, terms, and processes, be holden and kept as they be and have been before this time; (6) and that by the ancient terms and forms of the declarations no man be prejudiced, so that the matter of the action be fully shewed in the declaration and in the writ. (7) And it is accorded by the assent aforesaid, that this ordinance and statute of pleading begin and hold place at the fifteenth of St. Hillary next coming.

& qils soient entrez & enroulez en Latin & qe les leyes & custumes du dit realme termes & processs soient tenuz & gardez come ils sont & ont este avant ces heures & qe per les aunciens termes & formes de counter nul homme soit perdant issint qe la matiere del action soit pleinement monstre en la demonstrence & en le brief. Et est acorde de lassent avantdit qe cestes ordeignances & estatutz de pleder comencent & tiegnent lieu al quinzaine Seint Hiller' prochain a venir.

De pardonatione facta communitati Angliæ
36 EDW. III. stat. 2. and Anno Dom. 1362.

EDWARD by the grace of God, &c. to all that, &c. greeting. Know ye, that we have received the petition delivered to us by the commons of our realm in this present parliament, in the form as followeth:

EDWARD par la grace de Dieu Roi d'Engleterre seigneur d'Irlande & d'Aquitaine as touz ceux qi cestes lettres verront salut. Sachiez nous avoir receu la petition baille a nous par la commune de nostre realme en cest present parlement en la forme qe sensuyt:

The pardon made in the same parliament.

Ex edit. Rastal.
Pardon.

TO their most redoubted sovereign lord the King pray the said commons, That whereas they have prayed him to be discharged of all manner of articles of the *Eire*, except pleas of land of *Quo warranto*, treasons, robberies, and all other felonies, for the which a man shall bear pain of life and member, which petition seemeth to his counsel to be prejudicial to him, and in ditherison of his crown, if it were so generally granted: his said commons not willing nor desiring to demand things of him, which should fall in ditherison of him or of his crown perpetually, as of escheats of land or of tenements by any cause, wards, marriages, fees, and advowsons, serjanties, rents, services, seignories, lands amortised without licence, nor fines for trespass of purchasing of lands holden of him as of his crown, and aliened without licence, nor of fines offered in certain and not refused before any of his justices, for purprestures made upon

upon him as well in lands as in waters, franchises accroached, treasure found, debts and accounts due to him after the pardon made to his said commons by statutes late made, nor other articles whatsoever they be, which should fall in disherison of him or of his crown perpetually, but of trespasss, misprision, negligences, or ignorances, or any other things done, fallen or happened before this present parliament, and of all articles of the *Eire*, whereof the punishment shall lie in fine or in ransom or other pecuniary pains, imprisonments, amerciaments of the commons or of towns, or of any singular persons, as well the King's ministers as other at the King's suit, escapes of felons, chattels, of felons and fugitives fallen sith the last parliament made to his commons of them and not levied nor judged, or in charge of the freehold of them that never trespassed, as heirs or land tenants, of coroners, sheriffs, escheaters, as well the King's ministers as other, and all other people. *Saving to the King the debts and accounts due to him now at this present, of these things before named,* That it may please his excellent Highness, having regard to the great charges, travels, and mischiefs, which his poor commons have in his time, and to which charge he hath now required them of those things before-named, to do pardon generally to his said commons till this present parliament, so that all the things and articles afore-named for any manner of thing done in time past nothing be required, nor none of the people, King's minister nor other, of what condition that he be, be put to answer, impeached, molested, nor grieved by any manner, colour, imagination, or interruption, but all manner of trespasss, misprisions, negligences or ignorances, and all other things before-named be repealed and wholly pardoned. *Saving always the suit of the parties, which will them complain.* And that people attainted at the suit of the parties have imprisonment, in case where it is given by the law, notwithstanding the pardon of fines and ransoms as afore is said. *And whereas the commons have another time required, and yet they pray,* That the Great Charter, and the Charter of the Forest, and all other statutes before this time made, be firmly kept and holden in all points of all things, which be to fall, or which shall happen hereafter, as well for the King's profit, as for the quietness of his people. And that all the articles of the *Eire* be sent to the justices of peace in every county, to publish and notify them to the commons, to the intent that they may have knowledge of the said articles, so that they may the better govern and bear them, and eschew the perils and punishment of the said articles, that then at what time it shall please their said redoubted lord, that they shall make his sessions and enquiries, according as shall seem of him and his council that best is to be done for the profit of him and of his people. And the intent of his said commons is not by the same pardon that the King shall not do to be enquired of by the grievances and oppressions done to the people by his purveyors, or the purveyors of other before this time, whereof Purveyors, great clamour hath been made in this present parliament. And that

Charter.

Eire.

that it may please his gracious Highness to make charters of the same pardons, containing the said pardons, to all the counties of *England*, and to all several persons that will demand the same, to pursue without fine or fee paying for the seal. And that the form of the same charters be made before the departing of the lords from the parliament. And that the said form be shewed to our sovereign lord the King and to his council, and to the other lords. *We considering the great charges which our said commons have sustained, and the great good that they have done to us oftentimes, of our special grace and by the assent of the prelates, dukes, earls, and barons, and the commons being in the said parliament, have granted to our said commons for all times past a full pardon according to the form of their said petition. Saving always to us and to our heirs our right in time to come in the manner as we have before this time granted and pardoned. And we will and grant, That by us and our heirs, our justices, nor none other of our ministers, nor man be impeached nor put to answer, nor process made of any point contained in our said pardon. In witness whereof to this our letters patents we have set our seal, given at Westminster the xiii day of October the xxxvi year of our reign.*

De statuto proclamando.

REX vicecomiti Essexie & Hertfordie salutem. Quedam statuta & ordinationes per nos de communi assensu prelatorum magnatum & communis regni nostri in presenti parlamento nostro apud Westm' pro communi utilitate totius regni predicti edita & provisa tibi mittimus in duabus patentibus magno sigillo nostro signatis mandantes quod statim visis patentibus predictis eas & omnia & singula contenta in eisdem tam in pleno comitatu utriusque comitatum predictorum quam in civitatibus, burgis villis mercatoriis feriis mercatis & aliis locis in eisdem comitatibus ubi expedire videris tam infra libertates quam extra publice legi & proclamari & inviolabiliter observari & teneri facias & de eo quod inde feceris & de die receptionis presentium & per quem presens mandatum tibi liberatum fuerit nos in cancellaria nostra citra octabas Purificationis beate Marie proximo futur' vel in eisdem octabis ad ultimum reddas sub sigillo tuo distincte & aperte certiores remittens nobis hoc breve. T. R. apud Westm' xx. die Novembris.

Per ipsum Regem & Consilium.

Eodem modo mandatum est singulis vicecomitibus per Angliam Episcopo Dunelmensi Edwardo Principi Wallie & Comiti Cestrie Roberto de Herle Constabulario castri Dovorr' & Custodi Quinque Portuum & Justic' Hibern'.

Statutes made at *Westminster*, Anno 37 EDW. III.
and *Anno Dom.* 1363.

KING EDWARD at his parliament holden at Westminster the Friday in the Utas of Saint Michael, the seven and thirtieth year of his reign, at the request of the commons, and by the assent

LE Roi EDWARD a son parlement tenuz a Westminster le Vendredi en les oitaves Seint Michel lan de son regne trent septieme a la request des communes & del assent de prelates ducs

duës countes barons & autres grantz illoeqes assemblez ad ordeigne les choses soutescriptes en la forme qe sensuyt.

assent of the prelates, dukes, earls, barons, and other great men there assembled, hath ordained the things underwritten in the form as followeth:

CAP. I.

A confirmation of former statutes.

PRimerement qe la Grande Chartre la Chartre de la Forest & les estatutz & ordinnances einz ces heures faites & nicement les estatutz faitz au darrein parlement soient tenuz & gardez & dueiment executz solonc la forme & effect d'icelles.

FIRST, That the Great Charter and the Charter of the Forest, and the statutes and ordinances made in times past, and specially the statutes made at the last parliament, be holden and kept, and duly executed according to the form and effect of them.

The Great Charter and other statutes shall be observed.

CAP. II.

An Idemptitate Nominis shall be granted upon the wrongful seizure of another's person, lands, or goods.

ITEM pur les grandes meschies qe sovent sont avenuz & venent de jour en autre de ceo qe les eschetours visconts & autres ministres le Roi seissent les terres biens & chateaux des plusours gentz surmettantz qils sont utlagez la ou ils ne sont utlagez per cause qils portent tielx nouns come ces qisont utlagez pur defaute de bone declaration des surnouns est ordeigne qe si nul se pleyne en tieu cas eit brief de Idemptitate nominis en manere come ad este usee avant ces hures & si terres biens ou chateaux de nulluy soient seifz en tieu cas par eschetours viscont ou autre ministre troeve seurte devant le ministre qi ad garante de seifir de respondre au Roi de la valu des tieux terres biens ou chateaux en cas qil ne se poet descharger saunz rien prendre de la partie & si tiel ministre ne le face & de ceo soit atteint eit la partie sa feute devers tiel ministre & recovre ses damages au double & nient meins soit

ITEM, for the great mischiefs which often have happened, and daily do come, because that escheaters, sheriffs, and other the King's ministers, do seise the lands, goods, and chattels of many, surmising that they be outlawed, where they be not outlawed, because that they bear such names as those which be outlawed, for default of good declaration of the surname; (2) it is ordained, That if any complain him in such case, he shall have a writ of Idemptitate nominis, in the manner as hath been used in times past; (3) and if any man's lands, goods, or chattels be seised in such case by escheator, sheriff, or other minister of the King's, he shall find surety before the minister which hath the warrant to seise, to answer to the King of the value of such lands, goods, and chattels, in case that he cannot discharge him, without taking any thing of the party; (4) and if such minister do not the same, and thereof be attained, the party shall have the suit against such

An Idemptitate nominis shall be granted upon the seizure of another man's lands or goods.

9 H. 6. c. 4. Regist. 194, &c. Rait. 407.

such minister, and recover his double damages, and nevertheless he shall be grievously punished to the King.

grevousement puniz devers le Roi.

CAP. III.

The several prices of a hen, capon, pullet, and goose.

Ex edit. Raft.

ITEM, for the great dearth that is in many places of the realm of poultry; it is ordained, That the price of a young capon shall not pass 3 d. and of an old 4 d. of an hen 2 d. of a pullet 1 d. of a goose 4 d. and in places where the prices of such victuals be less, they shall hold, without being enhanced by this ordinance. And that in the towns and markets of up-land they shall be sold at a less price, according as may be agreed between the seller and the buyer. And justices shall be thereupon assigned by commission to put the thing duely in execution.

Rep. by 21
Jac. 1. c. 28.

CAP. IV.

A clerk of the remembrance of the exchequer shall be assigned.

A clerk of the remembrance and clerk of the pipe shall be assigned to sit together.

ITEM, because that many people acquitted by judgement in the exchequer in one place, be grieved and endamaged in other offices and places of the said exchequer, of the same things whereof they be so acquit, to the great mischief of the people; (2) it is ordained, That one clerk of the remembrance be titled to sit against the clerk of the pipe, to see the discharges made in the pipe, and to imbreveiate the same in the remembrance, to cause to cease all manner of process thereupon made; (3) and also that the summons of the pipe be withdrawn according as the parties by process be discharged; (4) and in whomsoever any default be willingly found, the treasurer by the King's commandment shall duly punish the same.

2 R. 2. c. 5.

ITEM pur ce qe plusieurs gentz acquitez par jugement en leschequer en une place sont grandement grevez & endamagez en autres offices & places du dit eschequer de mesmes les choses dont ils sont issint acquitez a grant meschief du poeple est ordeigne qun clerc de la remembrancie soit title de seer amount le clerc de la pipe de veer les descharges faites en la pype & les enbrever en la remembrancie pur faire cesser tote manere de processe sur ceo fait & auxi qe la summons de la pipe soit retrait selonc ce qe parties par processe sont deschargez & en cas qe defaute voluntivement soit trove le tresorer par commandement le Roi le terra duement punier.

CAP. V.

Merchants shall not ingross merchandises to enhance the prices of them, nor use but one sort of merchandise.

Ex edit. Raft.
Merchants.
Grocers.

ITEM, for the great mischiefs which have happened, as well to the King, as to the great men and commons, of that that the merchants, called grocers, do ingross all manner of merchandise vendible: and suddenly do enhance the price of such merchandise within the realm,

putting

putting to sale by covin and ordinance made betwixt them, called the fraternity and gild of merchants, the merchandises, which be most dear, and keep in store the other, till the time that dearth or scarcity be of the same: hath ordained, That no *English* merchant shall use no ware nor merchandise, by him nor by other, nor by no manner of covin, one only one, which he shall choose betwixt this and the feast of *Candlemas* next coming. And such as have other wares or merchandises in their hands, than those that they have chosen, may set them to sale before the feast of the Nativity of Saint *John* next ensuing. And if any do to the contrary of this ordinance in any point, and be thereof attained, in the manner as hereafter followeth, he shall forfeit against the King the merchandise, which he hath so used against this ordinance: and moreover, shall make a fine to the King, according to the quantity of the trespass. And how this ordinance shall be put in execution, it is ordained, That good people and lawful of every merchandise shall be chosen and sworn, to survey that this ordinance be holden and executed, that is to say, two merchants in every merchandise in every town and burgh, and two merchants of every county, and redress the defaults, and of that that they may not redress, they shall certify the chancellor, and the King's council. And commissions shall be made to certain people, to whom and when it shall please the King to assign, to enquire in cities, burghs, and counties, where need shall be, as well of trespassers in this behalf, as of surveyors, in case that they be negligent, or of covin with the trespassers, by the oath of six men sworn: and moreover, to make process for to hear and determine daily, and to punish the trespassers and surveyors, that is to say, the trespassers according as is above ordained, and the surveyors according to the discretion of the justices, and that by the jury of xii. in case they will put themselves upon the country of their accusation. And whosoever will sue for the King in such case, shall be thereto received, and shall have the fourth peny of the forfeiture of him that so shall be attained at his suit.

Commission;

Surveyors.

Rep. by 38 Ed.
3. stat. 1. c. 2.

CAP. VI.

Handicraftsmen shall use but one mystery, but workwomen may work as they did.

ITEM, it is ordained, That artificers, handicraft people, hold them every one to one mystery, which he will choose betwixt this and the said feast of *Candlemas*. And two of every craft shall be chosen to survey, that none use other craft than the same which he hath chosen, and that justices be assigned to enquire by process, to hear and determine in this article, as is ordained in the article before said, saving that the trespassers in this article shall be punished by imprisonment of half a year, and moreover to make fine and ransom, according to the quantity of the trespass. And the surveyors by the discretion of the justices, as before. *But the intent of the King and of his council is, that women, that is to say, brewers, bakers, carders, and spinners, and*

Artificers.
Handicraft;Rep. by 38 Ed.
c. 4.

workers as well of wool, as of lincloth and of silk, brawdesters, and breakers of wool, and all other that do use and work all handy works, may freely use and work as they have done before this time, without any impeachment, or being restrained by this ordinance.

CAP. VII.

Goldsmiths work shall be of good sterling, and marked with his own mark. None shall make white vessel and also gild.

Goldsmiths shall make their work of sterling.

4 H. 7. c. 2.

18 Eliz. c. 15.

Every goldsmith shall have a mark, and set it to his work.

2 H. 6. c. 14.

28 Ed. 1. stat. 3. c. 20.

No goldsmith shall make white vessel, and also gild. Rep. by 27 Jac. 1. c. 28.

ITEM, it is ordained, That goldsmiths, as well in London as elsewhere within the realm, shall make all manner of vessel and other work of silver well and lawfully of the alloy of good sterling. (2) And every master goldsmith shall have a mark by himself, and the same mark shall be known by them which shall be assigned by the King to survey their work and alloy. (3) And that the said goldsmiths set not their mark upon their works till the said surveyors have made their essay, as shall be ordained by the King and his council; and after the essay made, the surveyors shall set the King's mark, and after the goldsmith his mark, for which he will answer. (4) And that no goldsmith take for vessel white and full for the weight of a pound, that is to say, of the price of two marks of Paris weight, but eighteen pence, as they do at Paris. (5) And that no goldsmith making white vessel shall meddle with gilding, nor they that do gild shall meddle to make white vessel. (6) And they which shall be so assigned in every town, shall make their searches as oftentimes shall be ordained. (7) And for that which shall be in the goldsmith's default, they shall incur the pain of forfeiture to the King the value of the metal which shall be found in default.

CAP. VIII.

The diet and apparel of servants.

Servants fare and apparel.

Rep. 24 H. 8.

c. 13. & 1 Jac. 1. c. 25.

ITEM, for the outrageous and excessive apparel of divers people, against their estate and degree, to the great destruction and impoverishment of all the land: it is ordained, That grooms, as well servants of lords, as they of mysteries and artificers, shall be served to eat and drink once a day of flesh or of fish, and the remnant of other victuals, as of milk, butter, and cheese, and other such victuals, according to their estate. And that they have cloths for their vesture, or hosing, whereof the whole cloth shall not exceed two marks, and that they wear no cloth of higher price, of their buying, nor otherwise, nor nothing of gold nor of silver embroidered, aimed, nor of silk, nor nothing pertaining to the said things. And their wives, daughters, and children of the same condition in their clothing and apparel, and they shall wear no veils passing xii. d. a veil.

CAP. IX.

The apparel of handicraftsmen and yeomen, and of their wives and children.

Handicraftsmen's apparel.

ITEM, That people of handicraft, and yeomen, shall take nor wear cloth of an higher price for their vesture or hosing, than

than within forty shillings the whole cloth, by way of buying, nor otherwise, nor stone, nor cloth of silk, nor of silver, nor girdle, knife, button, ring, garter, nor owche, ribband, chains, nor no such other things of gold nor of silver, nor no manner of apparel embroidered, aimeled, nor of silk by no way. And that ^{28 Ed. 1 stat 3.} their wives, daughters, and children, be of the same condition ^{c. 20.} in their vesture and apparel. And that they wear no veil of silk, ^{Rep. 24 H. 8.} but only of yarn made within the realm, nor no manner of furr, ^{c. 11. & 1 Jac. 1.} nor of budge, but only lamb, cony, cat, and fox. ^{c. 25.}

CAP. X.

What apparel gentlemen under the estate of knights, and what esquires of two hundred mark-land, &c. may wear, and what their wives and children.

ITEM, That esquires and all manner of gentlemen, under the ^{Esquires and} estate of a knight, which have no land nor rent to the value ^{gentlemen's} of an hundred pounds by year, shall not take nor wear cloth for ^{apparel.} their clothing or hosing of an higher price, than within the price of four marks and an half the whole cloth by way of buying, nor otherwise, and that they wear no cloth of gold, nor silk, nor silver, nor no manner of clothing imbroidered, ring, buttons, nor owche of gold, ribband, girdle, nor none other apparel, nor harness, of gold nor of silver, nor nothing of stone, nor no manner of furr, and that their wives, daughters, and children be of the same condition, as to their vesture and apparel, without any turning up or puffle. And that they wear no manner of appar- ^{Rep. 24. H. 8.} el of gold, or silver, nor of stone, but that esquires, which have ^{c. 13. & 1 Jac. 1.} lands or rent to the value of ii. C. marks by year and above, may ^{c. 25.} take and wear cloths of the price of v. marks the whole cloth, and cloth of silk and of silver, ribband, girdle, and other apparel reasonably garnished of silver. And that their wives, daughters, and children, may wear furr turned up of miniver, without ermins or letuse, or any maner of stone, but for their heads.

CAP. XI.

The apparel of merchants, citizens, burgessees, and handicraftsmen.

ITEM, That merchants, citizens and burgessees, artificers, ^{Citizens appa} people of handy-craft, as well within the city of London, as ^{rel, having} elsewhere, which have clearly goods and chattels, to the value of ^{goods to the} v. C. pounds, and their wives and children, may take and wear ^{value of D. li.} in the manner as the esquires and great men, which have land or rent to the value of C. li. by year. And that the same merchants, citizens, and burgessees, which have clearly goods and chattels, to the value of M. li. and their wives and children may ^{Rep. 24. H. 8.} take and wear in the manner as esquires and gentlemen, which ^{c. 13. & 1 Jac. 1.} have land and rent to the value of ii. C. li. by year, and no ^{c. 25.} groom, yeoman, or servant of merchant, artificer or people of handicraft shall wear otherwite in apparel than is above ordained of yeomen of lords.

often grieved, and divers of the realm put in damage, against the form of the same charter: wherefore it is ordained, That all they that make such suggestions, be sent with the suggestions before the chancellor, treasurer and his council, and that they there find surety to pursue their suggestions, and incur the same pain that the other should have had if he were attainted, in case that his suggestion be found evil. And that then process of the law be made against them, without being taken or imprisoned against the form of the said charter and other statutes.

CAP. XIX.

How each person shall use a hawk of another's that be taketh up.

How each person shall use a hawk of another man's that he taketh up.

ITEM, whereas it was another time ordained, That every person that findeth any faulcon, tercellet, laner, or laneret, or any other hawk that is lost of his lord's, that presently he shall bring him to the sheriff of that county, and that the sheriff make proclamation in all the good towns of the county, that he hath such hawk in keeping. (2) And if the lord which hath lost him, or any of his, come to challenge him, and prove reasonably that it is his lord's let him pay for his costs, and have the hawk. (3) And if none come within four months for to challenge him, then the sheriff shall have the hawk, making gree to him that did take him, if he be a simple man; and if he be a gentleman, and of estate to have the hawk, the sheriff shall redeliver to him the hawk, taking of him reasonable costs for the time that he had him in his keeping. (4) And if any hath taken such hawk, and the same conceal from the lord to whom the hawk is, or from his faulconers, or if any take him away from the lord, and therefore be attainted, he shall have two years imprisonment, and yield to the lord the price of the hawk so concealed or taken away, if he have whereof, and if not, he shall the longer abide in prison. (5) Notwithstanding this ordinance, the offenders doubt but little to offend in.

ITEM come autrefois fuist ordeigne qe quelconqe persone qe trove faucoun terselet lanier ou lanieret austour ou autre faucoun qe soit perdu de son seigneur qe maintenant il l'apport au viscount del countee & qe le viscounte face proclamation en touz les bones villes du countee qil ad un tiel faucoun en garde. Et si le seigneur qi le perdi ou aucun des foens viegne pur lui chalanger & proeve resonablement qe ce est a son seigneur paie pur ses custages & eit le faucoun. Et si nul viegne deinz les quatre mois pur lui chalanger adonges le viscounte eit le faucoun fessant gree a celui qi le prist fil soit simples homme & fil soit gentils homme destat daver faucoun qe le viscount rebaille a lui le dit faucoun parant de lui resonables coustages pur le temps qil lavoit en garde. Et si nul eit pris tiel faucoun & le concele du seigneur a qi il est ou a ses fauconers ou qi lempart de seigneur & de ce soit atteint eit la prisone de deux ans & rende au seigneur le pris du faucoun issint concele ou emportee fil eit de quoi & si noun eit plus longe demoeure en prisone. Et nient countresfeisant ceste ordenance les messieurs nount pas dote de trespasser en celle partie par quoi est ordeine

34 Ed. 3. c. 22. The concealing or embezzeling of a hawk is felony.

& par estatut establi en
nt parlement qe si nul
ucoun & lemporte n-
t lordinance dessus dite
de lui come de laroun
chival ou autre chose.

in this behalf: (6) wherefore it is
ordained, and by statute esta-
blished in this present parlia-
ment, That if any steal any
hawk, and the same carry away,
not doing the ordinance afore-
said, it shall be done of him as
of a thief that stealeth a horse
or other thing.

3 Inst. 97.
4 Inst. 51.

as made at *Westminster*, Anno 38 EDW. III.
stat. 1. and *Anno Dom.* 1363.

lord King EDWARD at his parliament holden at Westmin-
ster in the Utas of St. Hillary, the eight and thirtieth year of
his life, of the assent of his prelates, dukes, earls, barons and com-
moners his realm there assembled, hath made and ordained the things
written :

CAP. I.

Former statutes shall be observed and executed.

primes qe la Grande
chartre la Chartre de la
les autres estatutz faitz
son temps come en
ses progenitours soi-
z & gardez & due-
cutz en touz poyntes.

FIRST, That the Great Former sta-
tutes shall be
Charter, and the Charter of tutes shall be
the Forest, and the other sta- kept and exe-
tutes made as well in his time cuted.
as in the time of his progeni-
tors, be holden and kept, and
duly executed in all points.

CAP. II.

*merchant may use more merchandises than one, notwith-
standing the statute of 37 EDW. 3 c. 5. Who only may
port gold or silver.*

uant a ceo qe ordene
t au derrein parlement
& dapparail & qe nul
t Englois ne useroit
merchaundie est acorde
gentz soient si franks
oient de tut temps aun-
t devant les dites or-
& nieement come ef-
temps del aiel nostre
Roi & de ses autres
progenitours. Et qe touz
z sibi denzeins co-
s puissent vendre &
oute manere de mar-
x franchement ameif-
du roialme paiantz les
custumes

ITEM, to that which was Any mer-
chant may use
ordained at the last parlia- more mer-
ment, of living and of apparel, chandise than
and that no English merchant one, notwith-
should use but one merchandise; standing the
it is ordained, That all people statute of
shall be as free as they were 37 Ed. 3. c. 5.
at all times before the said ordi-
nance, and namely as they were
in the time of the King's grand-
father, and his other good pro-
genitors. (2) And that all 9 Ed. 3. stat. 1.
merchants, as well aliens as C. 1.
nizens, may sell and buy all 5 R. 2. stat. 1.
manner of merchandises, and C. 2.
freely carry them out of 2 H. 4. c. 5.
the realm, paying the customs
and

Who only
may carry
gold or silver
out of the
realm.

and subsidies, thereof due, except that the *English* merchants shall not pass out of the realm with wools or woolfels. (3) And that none carry out of the realm gold nor silver in plate nor in money, saving the victuallers of fish that fish for herring and other fish, and they that bring fish within the realm in small vessels, which meddle not with other merchandises, and that according to the arbitrement of the chancellor,

custumes & subsidies ent dus forspris qe les marchantz Engleis ne passeront hors du roialme leins ne pealx lanutz. Et qe nul emporte hors du roialme or nargent en plate nen monoe sauvez les vitailers de peffon qe peschent harang & autre peffon & ces qi amefnent peffon deinz le roialme en petitiz vesfelx qi ne se mellent dautre marchandie & ce solonc l'arbitrement de chaunceller.

CAP. III.

Fines shall be taken in the presence of the pledges.

Fines shall be
taken in the
presence of the
pledges.

27 Ed. 3. stat. 2.
c. 3.

36 Ed. 3. c. 11.
37 Ed. 3. c. 5.

ITEM it is accorded, That all the fines to be taken before any justices, shall be in the presence of the pledges, and that the pledges know the sum of their fine before their departing.

ITEM est acorde qe touz les fines qe serrount aprendre devaunt qeconques justices soient faites en presence de plegges & qe les plegges sachent la somme de lour fines devant lour departir.

CAP. IV.

Penal bonds, in the third person shall be void.

Penal bonds
in the third
person, void.

Co. Lit. 229,
230.

ITEM, whereas divers people be bound in another court out of the realm by instruments and in other manner; (2) it is accorded, That all such penal bonds in the third person be void and holden for none.

ITEM come divers gentz soient liez en autri court hors du roialme par instrumentz & en autre manere est acorde qe touz tieles liens penales en la tierce persone soient voides & pur nul tenuz.

CAP. V.

Any man may wage his law against a Londoner's papers.

Any man may
wage his law
against a Londoner's
papers.

ITEM, whereas many people be grieved and attached by their body in the city of London, at the suit of the people of the same city, surmising to them that they be debtors, and that will they prove by their papers, whereas they have no deed nor tally; it is assented, That every man be received to his law by people sufficient of his condition against such papers, and the *creansour* shall take surety by another way if he will, without putting the party

ITEM com plusours gentz sont grevez & attachez par lour corps en la citee de Loundres a la poursuite de gentz de meisme la citee surmettantz a eux qils sont dettours & de ceo voillent ils prover par lour papirs la ou ils ne ont fait ne taille est assentu qe chescun soit resceu a sa lei par gentz suffisicantz de sa condition coudre tieles papirs & preigne le *creansour* seurtee par autre voie sil vorra sanz mettre la partie de pleder

pleder a lequeste sil ne le vo- party to plead to the inquest, if
et de son gree, he will not of his own gree.

CAP. VI.

A repeal of the felony imposed by stat. 27 Ed. 3. stat. 2. c. 3. for transporting of wool, &c. by Englishmen; but the forfeiture of lands and goods shall stand.

ITEM, whereas it was in another time ordained in the statute of the staple, that no Englishman should pass the sea with wools, leather, nor woollfells, by him nor by other, upon pain of forfeiture of life and member, lands, tenements, goods and chattels: it is accorded that the forfeiture of life and member shall be wholly out. And that no man be impeached because of such forfeiture of life and member, as well of times past, as of the time to come. And the forfeiture of lands and tenements, goods and chattels, shall stand in their force.

CAP. VII.

A confirmation of the statute of the staple, made 27 Ed. 3. stat. 2.

ITEM, it is assented, That the staple shall be in England, And that the statute of the staple, made the said twenty seven year, with the declarations, additions, and modifications thereof made, be holden and kept, notwithstanding, any grant, licence, or other statute or ordinance made afterward.

CAP. VIII.

A ship shall not be lost for a small thing therein not customed.

ITEM come les niefs de plusieurs gentz de roialme soient arestuz & tenuz come forfaitz par cause dune petite chose mise en lour dites niefs nient custumes dont les seignurs du dites niefs sont mesconissantz est acorde & assentuz qe nul seigneur perde sa nief pur tiele petite chose mise dedeinz nient custumez del sefizisme jour de severer proschein avenir en avant sanz sen ou notice du luy.

ITEM, whereas the ships of divers people of the realm be arrested and holden forfeit, because of a little thing put in their ship not customed, whereof the owners of the same ships be ignorant; (2) it is accorded and assented, That no owner shall lose his ship from the fifteenth day of February next coming forth, for such a small thing put within the ship not customed, without his knowledge.

A ship shall not be lost for a small thing therein not customed.

CAP. IX.

The punishment of him which proveth not his suggestion made to the King.

ITEM, as to the article made at the last parliament, of those that make grievous complaints to the King himself: it is assented, That if he that maketh the complaint, cannot prove his intent against the defendant by the process limited in the same article, he shall be commanded to prison, there to abide till he hath made gree to the party of his damages, and of the slander

The punishment of him which proveth not his suggestion made to the King. 37 Ed. 3. c. 18. he 42 Ed. 3. c. 3.

Who only
may carry
gold or silver
out of the
realm.

and subsidies, thereof due, except that the *English* merchants shall not pass out of the realm with wools or woolefells. (3) And that none carry out of the realm gold nor silver in plate nor in money, saving the victuallers of fish that fish for herring and other fish, and they that bring fish within the realm in small vessels, which meddle not with other merchandises, and that according to the arbitrement of the chancellor.

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36 Ed. 3. c. 11.
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ITEM com plusieurs gentz soient grevez & attachez par lour corps en la cite de Londres a la porsuete de la gentz de la cite de Londres meisme lezantur & surmises a eux qils soient devedours & ceo vult parier.

7 Jac. 1. c. 12. he will, without

leader a l'enquerte si ne le vote de son gree.

CAP. VI.

1 repeat of the films imposed by stat. or Ed : for
for and persons of with, &c. by Eng. from
for the of the and good: fall, here.

【TEM】 1. The first step in English teaching is to make the student understand the meaning of the words. 2. The second step is to make the student know the grammar rules. 3. The third step is to make the student know the reading and writing skills. 4. The fourth step is to make the student know the listening and speaking skills. 5. The fifth step is to make the student know the translation skills. 6. The sixth step is to make the student know the composition skills. 7. The seventh step is to make the student know the oral communication skills. 8. The eighth step is to make the student know the written communication skills. 9. The ninth step is to make the student know the cultural background of the English language. 10. The tenth step is to make the student know the history of the English language.

CAP. 72

deformation of the bones of the jaw.

ITEM 1. The fact that the large number of
the the future of the labor movement
year, with the declaration, however, in
made, be honest and open, now
in other future or ordinance made

C 12. VII

A big stall was left for a small one.

ITEM come les nefs de plu-
lores gentz de maraine fai-
ent arriuer & ventuz comme sus-
sant par cause d'ung peche d'ou-
le nefe en leur diuiz nefe ouen
catholiques d'ont les seigneurs de
celle nefe d'ont marion d'ont
et acort le d'ont et ce
d'ont peche la nefe par les
d'ont d'ont nefe d'ont
d'ont de d'ont par d'
d'ont d'ont d'ont
d'ont de d'ont

he hath suffered by such occasion; (2) and after shall fine and ransom to the King. (3) And the point containeth the same article, that the plaintiff shall incur the same which the other should have if he were attainted, shall be in case that his suggestion be found untrue.

CAP. X.

A confirmation of the statutes made for wines.

The statutes
of wines con-
firmed.

ITEM, as to the merchants of wines, and of those that go to the sea to fetch wines in *Gascoigne*, for the diversity of opinions upon diverse it is assented, That the statutes and ordinances upon made, shall stand in their force.

CAP. XI.

Merchants denizens may fetch wines, and aliens may not.

All merchants
denizens that
be not artifi-
cers may go
into *Gascoigne*
to fetch wine,
and aliens
may bring
wines into
this realm.

ITEM the King will of his grace and sufferance, That all merchants denizens that be not artificers, shall pass into *Gascoigne* to fetch wines there, to the end and intent that by this general licence greater plenty may come, and greater market may be of wines within the realm; (2) and that the *Gascoignes* and other aliens may come into the realm with their wines, and freely sell them without any disturbance or impeachment; always saved to the King, that it may be lawful to him, whensoever it is advised to him or his council, to ordain of this article in the manner as best shall seem to him for the profit of him and his commons.

ET le Roi voet de sa grace & souffraunce qe touz chauntz denzeins qe ne artificers passent en *Gascoigne* querre vins illoeqes au fin tence qe parmy cest gongie greindre plente vi & meillour marche soit vins deinz le Roialme & *Gascoignes* & touz autres puissent venir en dit royaume lours vins & fraunchement vendre sanz nule destour ou empeschement toutdis au Roi qe bien luy soit a luyre qe soit avis a luy bon conseil de ordenir sur ce article en manere qe meublement pur profit de luy & de la communalte.

CAP. XII.

The punishment of a juror taking reward to give verdict of embraceors.

34 Ed. 3. c. 8.
A Juror taking
reward to
give his ver-
dict, shall pay
ten times so
much as he
hath taken.

ITEM, as to the article of jurors in the four and thirtieth year; it is assented and joined to the same, That if any juror in assises sworn, and other inquests to be taken between the King and party, or party and party, do any thing take by them or other of the party plaintiff or defendant, to give their

ITEM quant al article des jurours lan xxxiiij est tenu & ajouste a ycele qe les jurours en assises jurees & autres enquestes apprendre e le Roi & partie ou partie & riens preignent par eux ou autres de la partie plaindefendant pur dire lours verdicts & de ceo soient atteint par

nu en meisme l'article
la suite de partie qe
e pur luy meismes ou
oi ou dautre persone
paie cheseun des ditz
lis foitz a tant come il
s & eit celuy qe ferra
n moite & le Roi lau-
Et qe touz les em-
damefner ou procurer
questes en paiis pur
profit prendre soient
meisme la manere &
ome les jurours et si
a embraceour issint at-
it dont faire gree en
fufdite eit la prifone

Et est lentention du
itz & communes qe
ce nautre ministre en-
dooffice sur nul des
cest article mes sou-
la suite de partie ou
me dessus est dit.

on any of the points
e party, or of other, as

their verdict, and thereof be at-
tainted by procefs contained in
the same article, be it at the
suit of the party that will sue
for himself, or for the King, or
any other person, every of the
said jurors shall pay ten times
as much as he hath taken; (2)
and he that will sue shall have
the one half, and the King the
other half. (3) And that all
the embraceors that bring or
procure such inquests in the
country to take gain or profit,
shall be punished in the same
manner, and form as the jurors;
(4) and if the juror or em-
braceor so attainted have not where-
of to make gree in the manner
afore said, he shall have the im-
prisonment of one year. (5) And the intent of the King, of
the great men, and of the com-
mons is, that no justice nor
other minister shall inquire of
of this article, but only at the

The punish-
ment of em-
braceors.

None shall en-
quire of office
of this statute,
but at the suit
of the party.
5 Ed. 3. c. 10.
Regit. 188.
Rait. 145.

statutes made Anno 38 EDW. III. stat. 2.
and Anno Dom. 1363.

Against provisors.

nurrit amour paix &
orde entre leglise & le
& empescher & faire
grantz malx perils &
les damages & grevan-
este faitz & avenuz en
asse & avendront etia-
chose serroit soefferte
ant par cause de perso-
nations & autres qont
vant ces hures & pas-
munement de jour en
s de la courte de Rome
intes ou fauses sugges-
propositions deceivantz
piere encoutre tout
personnes du dit roial-
causes dount la cognis-
sance

TO nourish love and peace, 4 Inst. 51.
and concord between holy sect. 1.
church and the realm, and to ap-
pease and cause to cease the great
hurt, perils, and importable losses
and grievances that hath been done
and happened in times past, and
that shall happen hereafter, if the
thing from henceforth be suffered
to pass, because of personal citati-
ons, and other that be past before
this time, and commonly doth pass
from day to day out of the court of
Rome by feigned and false sugges-
tions and propositions against all
manner of persons of the realm,
upon causes, whose cognisance and
final discussing pertaineth to our
lord

The several enormities of citations and impetrations of benefices obtained from Rome.

lord the King and his royal court ; (2) and also of impetrations and provisions made in the said court of Rome, of benefices and offices of the church, pertaining to the gift, presentation, donation, and disposition of our said lord the King and other lay patrons of his realm, and of churches, chapels, and other benefices appropriated to cathedral churches, abbeys, priories, chantries, hospitals, and other poor houses, and of other dignities, offices, and benefices occupied in times past and present by divers and notable persons of the said realm : (3) for the which causes, and the dependants thereof, the good ancient laws, customs, and franchises of the said realm have been and be greatly impeached, blemished, and confounded, the crown of our lord the King abated, and his person very hardly and falsely defamed, the treasure and riches of his realm carried away, the inhabitants and subjects of the realm impoverished and troubled, the benefices of the church wasted and destroyed, divine service, hospitalities, alms-deeds, and other works of charity withdrawn and set apart, the great men, commons, and subjects of the realm in body and goods damaged :

sance & finale discussion tient a nostre seigneur le a la courte roiale & aut & aussi des impetrations visions faites en meisme le te de Rome des benefices fices desglise appartenant donation presentation ou sition nostre dit seigneur & dautres patrons lais roialme & des eglises & autres benefices appartenant a eglises cathedrales col abbaies priories chaux hospitalx & autres povres & des autres dignities fices & benefices occupez temps passe & presentes & notables personnes dit roialme pur les quelles & dependences dices bones & aucienes lois custumes & franchises roialme ount estez & sont grandement empeschez & confounduz la corone nostre seigneur abesse & sone moult durement & ment diffamee les avoirs chesses du roialme em les heritances & subgize empovriz & troubles les fices desglises gastez & itz divin service hospitalier moignes & autres oeuvres

ritee entrelessez & souztraitez les grantz communes & subg dit roialme travaillez & en corps & en biens damagez :

CAP. I.

Persons receiving citations from Rome in causes pertaining to the King, &c. to incur the penalties of 25 EDW. 3. stat.

OUR sovereign lord the King, at his parliament holden at *Westminster* in the *utras* of St. *Hilary*, the thirty eighth year of his reign ; having a regard to the quietness of his people, which he chiefly desireth to sustain in tranquility and peace, to govern according to the laws, usages, and franchises

NOSTRE dit seigneur le son parliament tenu a *Westm'* en les oytaves de *Hilary* lan de son regne oytisme eiant regard a la de son poeple le quel il tres souverainement a si en tranquillite pais & regner solonc les lois usages franchises de sa terre & franchises

y est par son serement en sa coronation en eide fort du pape qi moult souestee troublez par tieles & ibles importuns clamours etrations & qi y meist iers covenable remedie si tetece estoit sur ces choses mece & passant parmy les de ses nobles progenitours eux pur le temps lors unt firent certeynes bones ances & ordenances entre les avantditz grevaunperils les queles ordanpurveances & aussi toutes pres faites en son temps & ppecial en lan de son regne t xxvii. Nostre dit seigneur Roi de lassentement & le volunte & concorde des contes barons nobles nunes de son Roialme touz altres qe la chose e par bone & meure delibon & avisement a approvee & conferme sauf lestat relatz & daltres seignurs ialme touchant la liberteeir corps si qe par force de statut lour corps ne soit ris ajoustant a ycelles a u & ordene qe touz ceuz impetrez purchacez ou z tiels personeles citations res en aucun temps passeireront purchaceront arsueroont semblables en avenir encountre lui ou de ses subgiz & aussi ceux qount impetrez ou reront de la dite court es arcedeakenees provostes autres dignitees offices lles ou autres benefices se quelconques appurte a la collation donation tation ou disposition nost seigneur le Roi ou dautre lai de son dit roialme si toutes semblables perones

ses of his land, as he is bound by his oath, made at his coronation, following the ways of his progenitors, which for their time made certain good ordinances and provisions against the said grievances and perils; which ordinances and provisions, and all the other made in his time, and especially in the twenty-fifth and twenty-seventh year of his reign, our sovereign lord the King by the assent and expresse will and concord of the dukes, earls, barons, and the commons of his realm, and of all other whom these things toucheth, by good and meet deliberation and avisement, hath approved, accepted, and confirmed, saving the estate of the prelates and other lords of the realm, touching the liberty of their bodies, so that by force of this statute their bodies be not taken. Joining to the same hath provided and ordained, That all they which have obtained, purchased, or pursued, such personal citations or other in any times past, or hereafter shall obtain, purchase, or pursue such like, against him or any of his subjects, and also all they that have obtained or shall obtain in the said court, deaneries, archdeaconries, provosties, and other dignities, offices, chapels, or benefices of holy church, pertaining to the collation, gift, presentation, or disposition of our said sovereign lord the King, or of other lay patrons of his said realm, and also all like persons, obtainers of churches, chapels, offices, or benefices of holy church, pensions or rents amortised and appropriated to churches cathedral or collegial, abbies, priories, chantries, hospitals, or other

other poor houses, before that such appropriations, amortisements be void and adnulled by due process; also all they which have obtained in the same court, dignities, offices, hospitals, and any benefices of churches which be occupied at this present season by reasonable title by any persons of the said realm, if such impetrations be not fully executed, or shall obtain hereafter like benefices, whereby prejudice, damage, or impeachment hath been or may be done hereafter to him or to his said subjects, in persons, heritages, possessions, rights, or any goods, or to the laws, usages, customs, franchises, and liberties of his said realm and of his crown; also all their maintainers, counsellors, abettors, and other aiders and fautors wittingly, as well at the suit of the King as of the party, or other whatsoever he be of the realm, finding pledges and surety to pursue against them; in this case all the said persons defamed and violently suspect of such impetrations, pursuits, or grievances by suspicion, shall be arrested and taken by the sheriffs of the places and justices in their sessions, deputies, bailiffs, and other the King's ministers, by good and sufficient mainprise, replevin, bail or other surety (the shortest that may be) and shall be presented to the King and his council, there to remain and stand to right, to receive what the law will give them; and if they be attainted or convicted of any of the said things, they shall have the pain comprised in the statute made in the twenty-fifth year of the reign of our sove-

reign

sones impetrouers desglises chappelles offices benefices desglise pensions ou rentes amortiseez & appropriiez as eglises cathedrales ou collegiales abbaies priories chaunteries hospitals ou autres povers maisons avant ceo que tielx appropriations & amortissementz soient cassez & anullez par due proces ensemble touz ceux qount impetrez en meisme la court dignities offices hospitals ou benefices quelconques desglise que sont occupez au present par title raisonnable par ascuns personnes du dit roialme si tiel impetration ne soit ja pleinement execute ou impetrent en apres semblables benefices par quoi prejudice damage ou empeschement a este ou purra estre fait en apres a lui ou a ses ditz subgiz ou personnes heritages possessions droitures ou biens quelconques ou a les lois usages costumes franchises & libertees de son dit roialme & de sa corone ensemble touz leur maintenours counseillours abbettours & autres aidantz & fauteurs seientement tant a la suite le Roi come de la partie ou dautre quelconque de roialme trovantz plegges & seurete de poursuivre contre eux en ceo cas soient les dites personnes diffames & suspectes violentment de tiels impetrations poursuites ou grevances arestuz & pris par les viscountes de lieux & justices en leur sessions deputes baillifs & autres ministres le Roi & par bone & suffisante mainprise replevissement bail ou autre plegerie le plus brief que faire se purra soient ils presentez au Roi ou a son conseil pur y demurer & ester a droit & recevoir ceo que la lei leur donera.

Et fils soient atteintz reign lord the King, which be-
vaincuz daucunes des ginneth, *Whereas late in the par-*
choses eient la penance liament, &c.
is en lestatut fait en lan
dit seignur le Roi xxv. qe comence *Au parlement somons*
m' &c.

25 Ed. 3. stat. 5.
c. 22. & stat. 6.

C A P. II.

*ted persons not appearing before the King's justices,
r warning, to incur the penalty of 27 EDW. III. stat.*
ap. 1.

li aucunes persones dis-
mes ou suspectes des
npertrations prosecutions
ces ou entreprises soient
1 dit roialme ou dedans
urront estre attachez ne
en lour propres persones
e presentent devant le
son conseil dedeins deux
rochein apres ce qils ser-
ur ceo garniz en lour
aucuns en eient ou au-
s courtz le Roi ou en les
s ou devant les justices
en lour sessions ou au-
t suffisamment pur re-
re au Roi & a la partie
urer & estre a la lei en
devaunt le Roi & son
soient puniz par fourme
ere compris en lestatut
xxvii. nostre seignur le
comence *Nostre seignur*
lassent & a la priere &c.
ment sicome affaire sem-
u Roi & a son conseil
aire a aucune deulx par
dit seignour le Roi au-
ace pardonaunce ou re-
saunz la volente & as-
nt de la partie qe se
estre greve & sanz faire
due satisfaction en ce

ITEM, if any person defamed
or suspect of the said impe-
trations, prosecutions, or griev-
ances, or enterprises, be out of
the realm or within, and may
not be attached or arrested in
their proper persons, and do
not present them before the
King or his counsel, within
two months next after that they
be thereupon warned in their
places (if they have any) in
any of the King's courts, or
in the counties, or before the
King's justices in their sessions,
or otherwise sufficiently, to an-
swer the King and to the par-
ty, to stand and be at the law
in this case before the King and
his council, shall be punished
by the form and manner com-
prised in the statute made in
the said seven and twentieth
year of this King's reign, which
beginneth, *Our sovereign lord*
the King of the assent, &c. and
otherwise, as to the King and
his council shall seem to be done,
without any grace, pardon, or
remission to be made by the
King, without the will and
assent of the party, which shall
prove him to be grieved, and
without making to him due sa-
tisfaction in this case.

C A P. III.

*enders to be out of the King's protection, and punished
ding to the statute of 27 EDW. III. stat. 1. cap. 1.*

I ordeigne est qe nul
e subget du dit roialme
II. gar-

ITEM, it is accorded, That
none other subject of the
said
N said

CAP. XII.

The apparel of knights which have lands whitbin the yearly value of two hundred marks, and of knights and ladies which have four hundred mark land.

Knights apparel.

Rep. 24 H. 8.
c. 13. & 1 Jac. 1.
c. 25.

ITEM, That knights, which have land or rent within the value of ii. C. li. shall take and wear cloth of vi. marks the whole cloth, for their vesture, and of none higher price. And that they wear not cloth of gold, nor cloths, mantle, nor gold furred with miniver nor of ermins, nor no apparel broidered of stone, nor otherwise: and that their wives, daughters, and children be of the same condition. And that they wear no turning up of ermins, nor of letuses, nor no manner of apparel of stone, but only for their heads. *But that all knights and ladies, which have land or rent over the value of iv. C. mark by year, to the sum of M. li. shall wear at their pleasure, except ermins and letuses, and apparel of pearl and stone, but only for their beads.*

CAP. XIII.

The apparel of several sorts of clerks.

Clerks.

Rep. 24 H. 8.
c. 13. & 1 Jac. 1.
c. 25.

ITEM, That clerks, which have degree in any church cathedral, collegial, or schools, or clerk of the King, that hath such estate that requireth furr, shall do and use according to the constitution of the same. And all other clerks, which have ii. C. marks of land by year, shall wear and do as knights of the same rent. And other clerks within the same rent, shall wear as the esquires of C. li. of rent. And that all those, as well knights as clerks, which by this ordinance may wear furr in the winter, in the same manner shall wear linure in the summer.

CAP. XIV.

The apparel of ploughmen, and other of mean estate; and the forfeitures of offenders against this ordinance.

Carters,
ploughmen,
&c.

Rep. 24 H. 8.
c. 13. & 1 Jac. 1.
c. 25.

ITEM, That carters, ploughmen, drivers of the plough, oxherds, cowherds, shepherds, deyars, and all other keepers of beasts, threshers of corn, and all manner of people of the estate of a groom, attending to husbandry, and all other people, that have not forty shillings of goods, nor of chattels, shall not take nor wear any manner of cloth, but blanket, and russet wool of twelve pence, and shall wear the girdles of linen according to their estate, and that they come to eat and drink in the manner as pertaineth to them, and not excessively. And it is ordained, that if any wear or do contrary to any of the points aforesaid, that he shall forfeit against the King all the apparel that he hath so worn against the form of this ordinance.

CAP. XV.

Clotbiers shall make cloths sufficient of the foresaid prices, so that this statute for default of such cloths be in no wise infringed.

Cloth-makers.
Drapers.

ITEM, to the intent that this ordinance, for the taking and wearing of cloths be maintained and kept in all points without blemish:

tions accusations denunciati-
ons citations ou proces faites
ou affaire hors du dit roialme
ou dedeins ou overtment con-
tre quelconque persone du roi-
alme soient le plus convenable-
ment & promptement meisme
a respons pur receyvre droit
solonc leur deserte le Roi les
prelatz les ducs countes ba-
rons & nobles communes elerces
& lais sont tenuz par ceste pre-
sente ordenance a aider con-
forter & consailler lun a lautre
& tant sovent que besoigne serra
& par toutes les manieres ma-
nieres que faire se pourra de pa-
role & de fait pur empescher
tieux messieurs & resister de
fait a leur enterprises & saunz
les souffrir habiter demorer ne
passer par leur seignouries pu-
issance terres jurisdictions ne
lieux & sount tenuz de garder
& defendre lune a lautre de tout
damages vilainez & reproves
sicome ils ferroient leur pro-
pres personnes & par leur fait &
besoigne & par tiele manere &
si avant come tieles prosecuti-
ons ou proces fussent faites ou
atteintez encoutre eux en spe-
cial ou en commune.

send against these ordinances,
by prosecutions, accusations,
denunciations, citations, or o-
ther process made or to be
made out of the said realm or
within, or otherwise against
any manner of person of the
said realm, be the more conve-
nably and speedily brought in
answer, to receive right ac-
cording to their desert: the
King, the prelates, dukes, earls,
barons, nobles, and other com-
mons, clerks, and lay-people,
be bound by this present ordi-
nance to aid, comfort, and to
counsel the one and the other;
and as often as shall need, and
by all the best means that may
be made of word and of deed,
to impeach such offenders, and
resist their deeds and enterpri-
ses, and without suffering them
to inhabit, abide, or pass by
their seignories, possessions,
lands, jurisdictions, or places,
and be bound to keep and de-
fend the one and the other
from all damage, villainy, and
reproof as they should do their
own persons, and for their
deed and business, and by such
manner, and as far forth, as
such prosecutions or process

13 El. c. 2.
These offences
made high
treason.

were made or attempted against them in especial, general, or
in common.

Statutes made at *Westminster*, Anno 42 EDW. III.
and Anno Dom. 1368.

CAP. I.

*A confirmation of the Great Charter and the Charter of the
Forest, and a repeal of those statutes that be made to the
contrary.*

EN le parlement nostre seig-
neur le Roi tenuz a Westm-
le primer jour de May lan de
son regne quarantisme second
est assentu & accorde que la
Grande Chartre & la Chartre
de

AT the parliament of our lord
the King, holden at West-
minster the first day of May, the
two and fortieth year of his reign,
(2) it is assented and accorded,
That the Great Charter, and
the Statute that

A confirmati-
on of the
Great Charter
and the Char-
ter of the Fo-
rest, and a re-
peal of those
the Statute that

have been
made to the
contrary.
4 Inst. 300.

25 Ed. 1. c. 2.

the Charter of the Forest be holden and kept in all points ; (3) and if any statute be made to the contrary, that shall be holden for none.

CAP. II.

A writ of allowance of a pardon granted Anno 36 EDW. III.

Ex edit. Rast.
Pardon.

ITEM, it is assented, That the pardon which the King made to his commons the xxxvi year be holden in all points ; and if any feel himself grieved against the form of the same, he shall have writ in the chancery to allow the points of the said pardon.

CAP. III.

None shall be put to answer an accusation made to the King without presentment.

ITEM, at the request of the commons by their petitions put forth in this parliament, to eschew the mischiefs and damages done to divers of his commons by false accusers, which oftentimes have made their accusations more for revenge and singular benefit, than for the profit of the King, or of his people, which accused persons, some have been taken, and sometime caused to come before the King's council by writ, and otherwise upon grievous pain against the law :

None shall be
put to answer
to an accusa-
tion made to
the King with-
out present-
ment, or some
matter of re-
cord.

25 Ed. 3. stat. 5.
c. 4.

37 Ed. 3. c. 18.

16 Car. 1. c. 10.

(2) it is assented and accorded, for the good governance of the commons, That no man be put to answer without presentment before justices, or matter of record, or by due process and writ original, according to the old law of the land : (3) and if any thing from henceforth be done to the contrary, it shall be void in the law, and holden for error.

ITEM a la requeste de la commune par leur petition mis avant en ce parlement pur ouster meschiefs & damages faitz as plusours de la dite commune par faux accusours qe sovent ont fait leur accusementz plus pur vengeance & singulere profit qe pur profit du Roi ou de son poeple queux accusez ont este aucuns pris & autres faitz venir devant le conseil le Roi par brief & autrement sur greve peine & encontre le leye est assentu & accorde pur le bone government de la commune qe nul homme soit mis a respondre sanz presentement devant justices ou chose de record ou per due processe & brief original solonc laancien leye de la terre et si rien desore enavant soit fait al encontre soit voide en leye & tenuz pur error.

CAP. IV.

To what sort of people commissions of inquiry shall be granted.

ITEM, because that commissions have been made and granted in divers counties, at the procurement of certain persons to

ITEM por ce qe commissions ont este faitz & grantez en divers contees as procurementz de certains perones den-

de certains articles
mmiffioners font leur
es en places privees
ntz nient sufficeantz
ir covyn plus au pro-
x qe en avantage du
e son poeple est assen-
orde qe defore en touz
z deinz la roialme soi-
miffions faites as af-
justices de lun bank
tre ou justices daffises
s de la pees ovesqe au-
neulx vauex du paiis
r profit du Roi come
mune sauve en loffice
ir en chose qe touche
e.

*inquire of certain articles, which
commissioners have made their
inquiries in secret places, and by
people not sufficient, and of their
covin, more to their private pro-
fit than for the King's advantage,
or of his people ; (2) it is as-
sented and accorded, That
from henceforth in all inqui-
ries within the realm, commis-
sions shall be made to some
of the justices of the one bench,
or of the other, or justices of
assise, or justices of the peace,
with others of the most worthy
of the country, as well for the
King's profit as the commons,
saving in the office of the es-
cheatorship, or thing that touch-
eth the same office.*

To what sort
of people com-
missions of in-
quiry shall be
granted.

CAP. V.

*sufficiency in land every escheator must be : he shall
execute his office in his own proper person.*

come conteneue soit en
statuz ordenez pur
e profit des eschetours
schetour soit fil neit
ie de terre dont il poet
au Roi & son poeple
e nul eschetour soit
t vint liveres de terre
ou plus en fee & qils
ir office en propre per-
autre soit soit ouste.

ITEM, *whereas it is contained
in the statutes ordained for
the common profit of escheators,
that none should be escheator unless
he have sufficient land, where-
of he may answer to the King and
to his people ; (2) it is assented,
That no escheator shall be
made unless he have xx l. of
land at the least, or more, in
fee ; (3) and that they do their
office in proper person ; and
if any other be, he shall be put
out.*

14 Ed. 3. Stat. 1.
c. 8.

Of what suffi-
ciency in
land every
escheator
must be.
He must do
his office in
proper person.
12 Ed. 4. c. 9.
1 H. 8. c. 8.

CAP. VI.

*of 25 ED. III. Stat. 1. c. 1. concerning labourers,
&c. shall be executed.*

it is accorded and assented, That the statute and or-
e made of labourers and artificers, be holden and kept
executed. And thereupon commissions shall be made
lices of peace in every county, to hear and determine
s of the said statute, and to award damages at the suit
ty, according to the quantity of the trespass.

Ex edit. Rast.
Labourers and
artificers.
Commission.

Rep. 5 Eliz. c. 4.

CAP. VII.

Londoners and none other, shall sell victuals by retail.

London vic-
tuallers.

ITEM, it is accorded, That they of *London* and none other, shall sell at retail victuals only, and that of the King's special grace, till the next parliament, upon condition, that it be well ruled and governed in the mean time to the common profit. And it is the King's mind, that no prejudice be done to aliens, which have franchises by the King's charters.

CAP. VIII.

English merchants shall not pass into Gascoigne to fetch wines, nor shall buy any wines until they be landed.

Wines.
Gascoigns.

ITEM, it is assented and accorded, for the profit of the realm, That no *Englishman* shall pass into *Gascoigne*, to seek wines there, but they shall be brought into *England* by the *Gascoigns* and other aliens, and thereupon defence shall be made through the realm. And that no *Englishman* put in the hands of the said *Gascoigns* or aliens, nor thither send gold nor silver nor other merchandises, thereof to buy wines to the use of *Englishmen*, upon forfeiture of the gold and silver or merchandises so put in their hands or sent. And that all the ships of *England* and of *Gascoigne* that cometh into *Gascoigne*, shall be first freighted to bring wines into *England* before all other, and that no *Englishman* bargain nor buy such wines coming into *England*, before that they be put to land, according to the form of the said statutes thereof made. And this ordinance shall hold place from the gule of *August* next ensuing forward. And that no warrant be made to any *Englishman* to the contrary.

Gold and sil-
ver.

English ships.

Altered by
43 Ed. 3. c. 2.

Rep. 5 Eliz. c. 5.
3 Bulltr. 21.

CAP. IX.

Estreats shall be shewed to the party indebted, and that which is paid shall be totted. No sheriff, &c. shall continue in office above a year.

Estreats shall
be shewed to
the party in-
debted, and
totted.

3 Ed. 1. c. 19.
7 H. 4. c. 3.

ITEM, *whereas the green wax is sent to sheriffs to levy the King's debts, the sheriffs ministers do levy the same by rolls, and other remembrances, and do not shew the same estreats under the seal of the exchequer, so that which is once levied, cometh another time in demand, because that they do not charge them fully of that which is levied, in deceit of the King, and impoverishment of his people;* (2) it is ordained and assented, That a man shall see the same estreat sealed, and that the same which is paid, be totted,

ENsement par la ou en la verte cite est mande a visconte pur lever les dettes le Roi les ministres des viscontes les levent par roulles & autres remembrances & ne monstrent les dites estretes desouz le seal del eschequier issint qe ce qest leve une foitz vient autrefoitz en demande par cause qils ne se chargent au plein de ce qest leve en deceit du Roi & impoverissement de son poeple est ordene & assentu qe homme veie les dites estretes enseallees & qe ce qest paie soit tottee &

ismes les estreates mandez
contes sur la receite. Et si
s viscontes ou ministre
u contraire soit tenuz de
adrea la partie qe de ce soit
leindre de les damages a
& face fin ou Roi. Et
sa feute sibien devant
z de la pees come de
autres justices. Et qe
contes soient tenuz d'ac-
er par meismes les estre-
nt tottes & par nul au-
Et ne soient les estreates
es par les viscontes mais
ie de les estreates en quant
chient franchise des seig-
soient liverrees as baillifs
nchises souz le seal du
te & qe meismes les bail-
adent leur accompt en
qier par meismes les co-
int liverrez. Et ensement
visconte souz visconte ne
le visconte demoerge en
fice outre un an come
est des viscontes par
z.

ted, and the same estreats sent
to the sheriffs upon the receipt,
(3) And if any sheriff or minis-
ter do to the contrary, he shall
be charged to answer to the
party, which thereof will him
complain, his treble damages,
and make fine to the King.
(4) And that he have his suit
as well before justices of the
peace, as before other justices.
(5) And that the sheriffs
be bound to accompt by the
same estreats so totted, and by
none other. (6) And the
same estreats shall not be dou-
bled by the sheriffs, but the
copy of the estreats, wherein
they touch the franchises of
lords, shall be delivered to the
bailiffs of the franchises under
the seal of the sheriff, and that
the same bailiffs yield their ac-
compt in the exchequer by the
same copies so delivered. (7)
And also that no sheriff, under-
sheriff, nor sheriff's clerk, a-
bide in his office above one year,
as it is ordained by the statute.

Sheriffs shall
accompt by
Estreats totted
and none
other.

14 Ed. 3. stat. 1.

c. 7.

23 H. 6. c. 8.

6 H. 3. c. 18.

C A P. X.

*en born beyond sea in the King's dominions shall be in-
heritable in England.*

M, upon the petition put in the parliament by the com-
ons, desiring that infants born beyond the sea, within the
ories of *Calais*, and elsewhere, within the lands and seigni-
hat pertain to our lord the King beyond the sea, be as
und inheritable of their heritage in *England*, as other in-
born within the realm of *England*: It is accorded, That
ommon law, and the statute upon the same point another
nade, be holden.

Infants born
in Calais shall
be inheritable
in England.

25 Ed. 3. stat. 2.

C A P. XI.

*of panels shall be delivered to the parties six days before
the sessions.*

M porce qe diverses mes-
efs sont avenuz par cause
panelles des enquestes
este prises devant justices
ief de Scire facias & au-
tres

ITEM, forasmuch as divers
mischiefes have happened, be-
cause that the panels of inquests
which have been taken before jus-
tices by writ of Scire facias, and

Copies of pa-
nels shall be
delivered to
the parties
before the
justices sessi-
ons.

6 H. 6. c. 2.
By 7 W. 3. c. 3.
sect. 7. Persons
tried for high
treason, &c.
shall have co-
pies of the
panel, &c.

*other writs, have not been return-
ed before the sessions of the justices
at the Nisi prius, and otherwise,
so that the parties could not have
knowledge of the names of the per-
sons which should pass in the in-
quest, whereby divers of the peo-
ple have been disherited and op-
pressed; it is ordained, That
no inquest, but assises and deli-
verances of gaols, be taken by
writ of Nisi prius, nor in other
manner, at the suit of any
great or small, before that the
names of all them that shall
pass in the inquests be return-
ed in the court. (3) And that
the sheriffs array the panels in
assises four days at the least be-
fore the sessions of the justices,
upon pain of twenty pound,
so that the parties may have the
view of the panels, if they the
same demand. (4) And as to
the return or answer of the bai-
liffs of franchises, they shall
make their answer to the she-
riff six days before their session
upon the same pain. (5) And
in all manner of panels arrayed
by the sheriffs or bailiffs with-
in franchise, shall be put the
most substantial people, and
worthy of credit, and not sus-
pected, which have best know-
ledge of the truth, and be
nearest.*

tres briefs nont pas este re-
tournez devant les sessions des
justices a la Nisi prius & autre-
ment si que les parties ne pur-
rent avoir conissance des nouns
des persons que passeront en len-
queste par quei plusieurs gentz
ont este desheritees & subduitz
si est ordene que nulle enqueste
forspris assises & deliverances
des gaoles soient prises par brief
de Nisi prius ne en autre ma-
nere a suite de nully grant ne
petit avant ce que les nouns de
touz yceux qi passeront en les
enquestes soient retournees en
courte. Et que les viscontes ar-
raient les panelles en assises
quatre jours a meinz devant la
session des justices sur peine de
vint livres issint que les parties
peussent avoir la veue des pa-
nelles s'ils le demandent. Et
quant a retourne ou respons
des baillifs des franchises fa-
cent leur respons as viscontes
par sis jours devant leur session
sur meisme la peine. Et en
toute manere des panelles ar-
raiez par viscontes ou baillifs
deins franchise soient mis les
meulz vauex sufficeantz & dig-
nes de foy & nient suspectz
qont meillour conissance de la
verite & pluis proschains.

What sort of
persons shall
be returned
upon inquests.
13 Ed. 1. stat. 1.
c. 30.
28 Ed. 1. stat. 3.
c. 9.
20 Ed. 3. c. 6.
34 Ed. 3. c. 4.
Regist. 178.
Ralt. 117.

utes made *Anno 43 EDW. III. and Anno Dom.*
1369.

EDWARD par le grace de
Dieu Roi d'Engleterre &
ance & seignur d'Irland a
visconte de Stafford fa-

Come nadgairs estoit
gne pur profit du roialme
des marchantz d'Engle-
qe lestaples de leins peaux
& quirs ferroient tenuz a
& illoeqes ad este puis le
r jour de Marcz lan de
regne trent septisme &
ar cause qe la pces autre-
pris parentre les roialmes
leterre & de France est
es Franceys enfrent &
peril de perde purroit ave-
biens du roialme illoeqes
atz & venantz par mere a
e lestaple hors d'Engle-
si meisme lestaple feusse il-
s contenue & sur ce les
z grantz & communes
z les meschiefs & perils qe
ient avenir a les biens et
mandises celle partie prie-
nostre seignur le Roi en
present parlement tenuz
stm' a les oetaves de la
te lan de son regne d'En-
re quarante tierce sur ce
gner remedie.

EDWARD, by the grace of ^{The danger} God, &c. to the sheriff of ^{which might} Stafford, greeting. Whereas of ^{ensue by keep-} late it was ordained for the profit ^{ing the staple} of the realm, and ease of merchants ^{at Calais.} of England, that the staple of wools, woolfells, and leather should be holden at Calais, and there it hath been sithence the first day of March, the seven and thirtieth year of our lord the King that now is : (2) and now because the peace another time taken between the realms of England and France is by the Frenchmen broken, and great peril might come to the goods of the realm there being, and coming by the sea to the same staple out of England, if the same staple were there continued: and thereupon the prelates, great men, and commons seeing the mischiefs and perils which may happen to the goods and merchandises in this behalf, pray the King in this present parliament holden at Westminster, at the utas of the holy Trinity, the three and fortieth year of his reign, thereupon to ordain remedy.

CAP. I.

*wool staple at Calais removed, what towns in England it
shall be holden at, and the former appointment of the Irish
and Welsh staples confirmed.*

OUR sovereign lord the King, having thereupon full delibera- ^{27 Ed.3.stat.2.}
tion and advisement with his great council, hath ordained; That ^{C.1.} That
staples of Calais, &c. shall be wholly put out, and the staples ^{Staples.}
wools, woolfells, and leather of the realm of England,
be holden in the places under-written, that is to say,
Newcastle, Kingston upon Hull, Saint Botolph, Yarmouth,
borough, Westminster, Chichester, Winchester, Exeter, and
&c. And the staples of Ireland and of Wales shall be in the
places

Merchants
aliens.

Wools, wool-
fels, and lea-
ther.

Mayor of the
staple.

Customers and
comptrollers.

Denizen.

Ship.

places where they were first ordained. And moreover it is ordained, That all merchants, aliens and denizens, may freely go through *England, Ireland, and Wales*, and buy and sell wools, woolfels, and leather, and all other merchandises at their will, without impeachment or disturbance; so that no wools, woolfels, nor leather, shall pass out of the realm of *England, Ireland, nor Wales*, till they be brought to the staples, and there weighed, cocketted, and customed. And that all the wools that shall be brought to the staples at *Westminster* and *Winchester*, shall be betwixt merchant and merchant, or merchants and other, lawfully weighed by the standard. And every sack and sarpler of the same wools so weighed, sealed under the seals of the mayor of the staple, and of the constables, or mayor and one of the constables. And also that all the wools so weighed and sealed at the staples, and leather and woolfels that there shall come (the customs of the staples thereof paid) shall be witnessed by bill, ensealed of the seals of the mayor of the staple and constables, or mayor and one of the constables, and brought from *Westminster* to the port of *London*, and from *Winchester* to the port of *Southampton*. And there the said wools shall be another time weighed in the presence of our customers and comptrollers assigned in the same ports. And an indenture shall be made between the mayor of the staple and the constables, or mayor and one of the constables being in the said ports, and our customers there, of all the wools so weighed, and also of the leather and woolfels, which shall come to the same staple to pass there. And the same wools, leather, woolfels, and all other wools, well and lawfully weighed, cocketted, and customed in the other ports and staples aforesaid, shall be brought out of the said realm and lands by aliens, to what part shall please them at their wills, and not by denizens. And if any denizen do against the same, he shall incur the forfeiture of the wools, leather, and woolfels so passed, and of imprisonment of his body by three years, and moreover be ransomed at the King's will: and the ship charged with the same merchandises, to whomsoever he be, shall be forfeit to the King.

C A P. II.

The conditions on which English, Irish, and Welshmen, not being artificers, may import wine from Gascoigne, notwithstanding the statute of 42 ED. III. c. 8.

3 Bulstr. 21.

Wines.

ITEM, whereas in the parliament holden in the forty-third year, it was ordained, That no Englishman should pass into Gascoigne to fetch wines there, but that the wines should be brought into England by the Gascoigns and other aliens; and though that the said ordinance hath been by assay profitable to all the realm, nevertheless, at the request of his dear-beloved son the prince, which hath oftentimes complained, that his subsidies and customs of wines, in his principality of Guion, have been abridged and diminished, because that Englishmen do not come there to buy wines, as they were wont, and by so much a great part of the wines be not sold. The King will and granteth, of the assent of the

relates, great men, and commons, That all *Englishmen*,
en, and *Welshmen*, that be not artificers, may freely pass
Gascoigne, to fetch wines there, finding sufficient surety be- *Gascoigny.*
 his passage, before the mayor, or bailiffs, where no mayor is, *Mayor, bail-*
 e town or port, where he shall pass, that he shall buy in *liff.*
 gne an hundred tunſ of wines and not leſs, of his proper
 and of others, and bring the ſame into *England, Wales*, or
 d, and to no place elſewhere. And if it be otherwiſe done by
Englishman, Welſhman, or Irifhman, the wines, and ſhips *Ships.*
 ing the ſame wines, ſhall be forfeit to the King, and every
 ſhall have one year's imprisonment, and moreover be
 ned at the King's will. And if any *Englishman* paſs into
 gne without finding ſuch ſurety, he ſhall incur the forfei-
 of all his goods to the King. And the ſaid ſureties ſhall
 rtified and returned in the King's chancery, by the ſaid *Chancery.*
 r and bailiffs, or by the bailiffs where no mayor is, two
 by year, that is to ſay, at the *utis* of Candlemas; and at
 le of *Auguſt*. And if any mayor or bailiff ſuffer any *Eng-*
 n to paſs till he have found ſuch ſurety, or they do not certify
 chancery in the manner as is aforeſaid, they ſhall have one
 imprisonment of their body, and moreover be ranſomed
 King's will. And it is not the mind of the King, the
 men, nor of the commons, that the ordinance made of the
 wines, the ſaid xlii. year, be repealed or adnulled, but ſhall
 in ſuſpence till a man may ſee what profit or damage this
 it grant hereafter ſhall do in the realm. And the King
 hat the *Gascoigns* and their ſervants, and all other, whenſo- *Gascoigns.*
 oleaſe them, may come with their wines into *England, Wales*,
Ireland as freely and in the manner as it was ordained in
 id xlii. year, or in any time before.

C A P. III.

*King's butler, or his lieutenants, ſhall take no more wines
 than is commanded.*

M par ce qe les grantz &
 immunes du roialme avant
 ieures & ore en ce parle-
 ſi font moult durement
 z de ce qe le botiller le
 ſes lieutenantz en diver-
 ortz & lieux du roialme
 mbracez & pris par co-
 de lour offices pur loſtiel
 pens du Roi plus grant
 ore des vins qe meſtier ou
 gne ne fuiſt pur le dit ho-
 t deſpens et par tiel co-
 ont areſtuz les vins de
 hantz amefnez en dit roi-
 et tenuz ſi longement en
 qe les grantz et autres du
 dit

ITEM, ſoſasmuch as the great *4 Inſt. 30.*
 men and commons of the realm
 before this time, and now in this
 preſent parliament, have grie-
 cuſly complained, for that the
 King's butler and his lieutenants
 in divers places and ports of the
 realm, have ingroſſed and taken
 by colour of their office, for the
 houſe and expences of the King,
 and by ſuch colour have arreſted
 the wines which merchants broughe
 into the ſaid realm, and holden
 them ſo long in arreſt, that the
 great men and commons, and other
 of the realm, cannot thereof make
 their purveyance, nor merchants
 their

their profit, and oftentimes by such colour have ingrossed and taken of them so many tuns of wine above that was needful for the King, that they have commonly sold the same, and thereof made their singular profit, and as much as other merchants and vintners in the realm, to the great damage of the said merchants and other:

The King's butler shall take no more wine than he is commanded.

(2) whereupon the King desiring to ordain remedy, of the assent of the great men and commons in this present parliament hath ordained, That the butler, nor any of his lieutenants, shall not buy, ingross, nor take by colour of their office, nor in other manner to their proper use, nor of others, more wines for the house and expence of the King than they have in commandment, upon pain of imprisonment of their bodies, and to be ransomed at the King's will. (3) And as much as they take by force of the said warrant, shall be taken within ten days, and (that done) the merchants of the said wines may, and it shall be lawful to them, of the remnant of the said wines another time to make their profit, notwithstanding any arrest made upon such wines by the butler, or any of his lieutenants aforesaid.

The King's butler shall take his wine within ten days.

2 Bulstr. 254.

25 Ed. 3. stat. 5. c. 21.

6 Geo. 1. c. 12.

dit roialme nont poier faire lour purveances ne les marchantz lour profit et sovent souz tiel colour ont embracez et pris devers eux tant des vins outre ce. qe mestier nestoit pur le Roi qils les ont communement venduz et ent fait lour singular profit auxi avant come autres marchantz ou vynters du roialme au grant damage des ditz grantz marchantz et autres sur quoi le Roi desirant y mettre remede ad ordeine del assent des ditz grantz et communes en ce parlement qe le botiller ne null de ses lieutenantz nachate nenbrace ne ne preigne par colour de lour office nen autre manere a lour oeps propre ne dautri pluis des vins pur lostiel et despens du Roi qils naveront en mandement sur peine demprisonement de lour corps et destre reint a la volunte le Roi. Et quanqe ils prendront par force du dit garrant serra pris dedeins x. jours et fait purront les marchantz des ditz vins et bien life a eux de remanant des vins deslors faire lour profit nient contreestrant ascun arest sur tieux vins faitz par le botiller ou ascun de ses lieutenants susditz.

C A P. IV.

The King's general pardon to all men of vert and venison, saving to the officers of his forest, &c.

Pardon of vert and venison.

ITEM, because that the commons of the said realm have prayed the King, that it may please him, to pardon them of his special grace, all the trespasses done in the forests in times past: The King, having regard to the great aids, which his said commons have oftentimes done to him, and the charges which they in sundry manners have sustained, of his special grace hath released and pardoned to his said commons, and to every of them, every manner of trespass of vert and venison done before this time in his forests, and the price and forfeiture of vert, and also all the fines, amerciements, and ransoms made or to be made by this cause.

And

And if any of the said commons at this time be arrested, imprisoned, or let to mainprise for such cause, they shall be incontinently released and delivered free and quit, and their mainpernors also, except expressly the justices, agistors, chief keepers of forests, parks, and chaces, as well in fee as otherwise, and all foresters, and verdours: regardors and agistors, lieutenants of keepers, under-foresters, and all their servants and sellers of woods and underwoods, and all other ministers of the King's forests, parks, and chaces, whom the King will not to be comprised in this pardon. *And therefore we command thee, That thou do the said ordinances to be cried and published in cities, boroughs, and ports of the sea, and all other places within the bailiwick, as well within franchise as without, in places where to thee shall seem convenient, and the same do to be firmly bolden and kept according to the form and tenor of the same. Dated, &c.*

Eodem modo mandatum est singulis vicecomitibus per Angliam.

Statutes made at *Westminster*, Anno 45 EDW. III.
and *Anno Dom.* 1371.

CAP. I.

A confirmation of the Great Charter, and the Charter of the Forest in all points.

AU parlement somons a Westm' Lundy en la premiere simaigne de quarrefme lan du regne le Roi EDWARD tiercz puis le conquest quarante quint entre autres choses estoit ordeine et establi qe la Grand Chartre et la Chartre de la Foreste soient tenuz et gardez en touz pointz.

AT the parliament summoned at Westminster the Monday in the first week of Lent, the five and fortieth year of the reign of King EDWARD the third, it is ordained, That the Great Charter and the Charter of the Forest be holden and kept in all points.

A confirmation of the Great Charter and the Charter of the Forest.

CAP. II.

The penalty of him that setteth up or enhanceth weares.

ITEM come en lestatut fait a Westm' lan vint quint entre autres choses estoit ordeine et accordees qe porce qe communes passages des niefs et bateux en les grantz rivers d'Engleterre si feurent sovent foitz destourbees par le lever des gortz molyns estanks estaches et kideulx en grant damage du poeple accorde feust et establi qe touz tieux gortz molyns estankes

ITEM, whereas in the statute made at Westminster, in the five and twentieth year, amongst other things it was ordained, That because the common passage of ships and boats in the great rivers of England, were often disturbed by the levying of weares, mills, flanks, flakes, and kiddles, which were levied and set up in the time of the King's grandfather, in great damage of the people; (2) it was

A confirmation of the statute of 25 Ed. 3. stat. 4. concerning the pulling down of weares.

accorded and established, That all the wears, mills, stanks, flakes, and kiddles, which were levied and set up in the time aforesaid and after in such rivers, whereby the ships and boats were disturbed, that they might not pass as they were wont, should be cut, and wholly pulled down without repairing; (3) and thereupon writs should be made and sent to the sheriffs of places where it should be needful to survey, enquire, and to make thereof execution, and also that justices be thereupon assigned at all times when need shall require. (4) And now at the grievous complaint of the great men and the commons made in this present parliament, complaining by their petition, that the statute is not duly executed nor kept, according to the effect of the same; (5) it is accorded and established, That the said statute in this point be holden and kept, according to the effect of the same: joining thereto, that if any such annoyance be done, it shall be pulled down by due process contained in the said statute. (6) And he that shall repair the same annoyance, and thereof be duly attainted, shall incur the pain of an hundred marks to the king, to be levied by estreats of the exchequer. (7) And the like law shall hold of annoyance made by enhansing of such wears, mills, stanks, flakes, and kiddles, as by the new levying.

The penalty of him that setteth up again wears, or doth enhance them.
1 H. 4. c. 12.

estankes estaches et kideulx qe seurent levez et mys en temps le Roi lai el et depuis en tieux rivi ers par queux les niefs et bateulx seurent destourbeez qils ne poent passer come ils soient serroient oustoos et nettoient abatuz faunz estre relevez & serroient sur ce briefs maunde z as viscontes des lieux ou mettir serroit ne surveer et enquere et de faire ent execution et aussint qe justices serroient sur ce assignez a toutes les foitz qil busoigneroit. Et ja a la grevoue plainte des grantz & communes faite en cest present parlement compleignantz par leur petition qe le dit estatut nest pas duement execut ne garde solonc leffect dycele est accorde et establi qe le dit estatut en ce point soit tenuz et gardez solonc leffect dycele ajoutant a ycele qe si nul tiele anufance soit abatuz par due proces contenuz en le dit estatut cely qi ferra relever le dit anufance et de ce soit atteint duement encourage la peine de cent marcs devers le Roi a lever par estrete en Leschequer. Et autiele ley se tiegne danufance faite par le enhancer des tieux gortz. molyns estankes estaches et kideulx come par novel lever.

CAP. III.

A prohibition shall be granted where a suit shall be commenced in a spiritual court for Sylva cædua.

2 Inst. 642 — **I**TEM, at the complaint of the said great men and commons, shewing by their petition, That whereas they sell their great wood of the age of twenty years, or of greater age, to merchants to their own

ITEM a la plainte des ditz grantz & communes montrantz par leur petition qe come ils vendent leur gros boys d'age de vint anns ou quarante ans ou de greindre age as marchantz

z en profit de eux mesmes eide du Roi en sa guerre nes et vikers de Seint esles ditz marchantz em- it et travaillent en court en pur les dismes du dit en noun de ceste parole edue par quoi ils ne poei- endre leur boys a verroie grant damage de eux et alme est ordeine et esta- prohibition en ce cas soit e et sur ce attachement ad est avant ces heures.

own profit, or in aid of the King in his wars, (2) parsons and vicars of holy church do implead and draw the said merchants in the spiritual court for the tythes of the said wood in the name of this word called Sylva cædua, where- by they cannot sell their woods to the very value, to the great damage of them and of the realm; (3) it is ordained and establish- ed, That a prohibition in this case shall be granted, and upon the same an attachment, as it hath been used before this time.

ed where a suit is com- menced in the spiritual court for Sylva cæ- dua.

Regist. 44. Fitz. NB. 54.b, Rast. 489.

CAP. IV.

imposition shall be set upon merchandises of the staple, without the assent of parliament.

M est accorde et establi nul imposition ou charge ys sur les leines pealx lau quirs autre qe la cus- et subside grantez au Roi part faunz assent du par- t et si nul soit mys soit : et tenuz pur nul.

ITEM, it is accorded and established, That no im- position or charge shall be put upon wools, woolfels, and lea- ther, other than the custom and subsidy granted to the King, in no sort, without the assent of the parliament; and if any be, it shall be repealed and holden for none.

11 R. 2. c. 9. No new im- position shall be put upon wools without assent of par- liament.

Ilus parliamenti de anno Regis EDWARDI Tertii quadragesimo sexto. *


Ex Rot. in Turr. Lond.

le parlement somons a West Lendemayn des Almes lan du egne le Roi EDWARD tierce quarant sisme adeprimes per je les grantz et communes somons au parlement ne estoient fust le dit parlement ajourne tanqe Vendredi suant quel xc.

From Mr. Cay's edition.

petitions queles les communes avoient mis en parlement repons sur eles donez furent luez et auxi une ordenance faite

one of the ordinances of this parliament is printed as a statute in face to the third part of Lord Coke's Reports, fo. 4. 2. and is cited in Colonel Sidney's trial, 35 Car. 2. and in Lord Preston's trial, Will. & Mar. The ordinances are printed here, with so much of ord, as may shew that they were not made till after the dismissal knights of shires, which irregularity might perhaps be the reason, y were not entered upon the statute-roll, or printed in the statute-fore.



faite en mesme le parlement en manere qensuit pur ce qe gentz de ley qi pursuent diverses busoignes en les courts le Roi pur singulers persones ove queux ils sont procurent et sont mettre plusieurs petitions en parlement en noun des communes qe rien leur touche mes soulement les singulers persones ove queux ils sont demorez auxint viscontz qi sont communes ministres au poeple et devient demurer sur leur office pur droit faire a checunz sont nomez et ont ete devant ces heures et retournez en parlement chivalers des countees per mesmes les viscontz est accorde et assentu en cest parliament qe desormes null homme de ley pursuant busoignes en la court le Roi ne viscont pur le temps qil est viscont soient retournez ne acceptez chivalers des countees ne qe ces qi sont gentz de ley et viscontz ore retournez en parlement eient gages mes voet le Roi qe chivalers et serjantz des meulx vaues du paies soient retournez desore chivalers en parlementz et qils soient esluz en plein countee et apres ce conge done as chivalers des countees a departir et de fuer leur briefs pur leur despenfes et issint departirent ils mes comande feust as citizens et burgois qestoient venuz au dit parlement qils demurassent pur ascuns causes queux citizeins ou burgois mesme le jour apres assemblez devant le prince et autres prelatz et grauntz en une chambre pres la blanche chambre fust monstre a eux coment estoit graunte pur un certain terme pur le sauf et seure conduement des niefs et merchandises venantz en ceste terre per meer et passant dycelle un subside cestassavoir de chescun tonell de vyn venant en ceste terre deus soldz et de chescun livre de qeconqe merchandie qe ce feust venant ou passant vi d. quel terme est ja passe qe ils voloient avoir consideration as perils et mischiefs qi poent avenir a leur niefs et merchandises per les enemys sur la meer graunter un autiel subside a durer per un an pur les causes suiddites quel subside ils graunteront au Roi a prendre & lever en manere come estoit pris et leve lan darein passe & issint departirent.

Les petitions des communes et de citizens et burgeis et les respons sur ycelles faites sont en un roulle attache & cusa a cestes.

A leur trespoute et graciouse seignur le Roi supplient sez pources liges communes qe la Grande Chartre et la Chartre de la Foreste & touz les autres estatuz faitz per nostre dit seignur le Roi et sez progenitours en amendement de son roialme et a tranquillite & ease de son poeple soient tenuz gardez et dueement executz en touz pointz.

ITEM prie la dite commune qe nul homme petit ne grant de quel condition qil soit ne attempte ne pursue brief nen autre manere face chose a contrere des estatuz faitz en temps nostre seignur le Roi ne ses nobles progenitours en plein parlement nencontre lestatur qe serra fait en cest present parlement ne qe nul homme ne soit restreint ne article de nul estatut repelle per les priyes

prives de conseil nostre seignur le Roi nen autre manere sanz assent de parlement et si aucun persone soit trove qe face alen- contre soit greve peyne mys sur lui en cest present parlement.
R. Le Roi voet qe les estatuz soient tenüz & gardez.

ITEM prie la commune come autrefoith nostre seignur le Roi de sa grace especial en relevation et ease de son poeple granta general pardon a sa dite commune des touz maners trespasses mes- prissions negligences et ignorances des totez articles de eyr dount le punissement cherroit en fyn ou en raunson ou en autre manere peine pecunielle et des autres plusours mesfaites per son dit poeple perpetrez devant la date de dit pardon grantant oultre qe nul homme fuisse empesche mys a respouns ne processe fait de nul point contenue en ycelle come pluis pleinement est contenu el dit pardon ore tarde plusours gentez de roialme des diverses conditions sibien merchantz come autres sont empeschiez en di- verses places nostre seignur le Roi sibien leschequer come ail- lours des diverses trespasses faitz devant le dit pardon per force des enditementz malicieusement sur eux faitz et les justices et barons del eschequier ne voillent a eux le dit pardon allower pur soleins interpretations queux ils fount de dit pardon a grant em- poverissement de la commune qe pleise a nostre dit seignur le Roi et as pieres de la terre qe tiels recordes queux pendent de- vant justices ou barons soient vewez en parlement issint qe juge- ment se face solom leffecte et verroie entent de la petition de poeple adonqz prie et si les paroles contenuz en le dit pardon ne soient trovez asletz suffisantz reles et descharge a poeple qe pleise a Roi denforcer le dit pardon per overies paroles assyn qe totez tieles trespasses forsfaitures & mesprissions purroient plenerement estre relesees en totez tieux cas solom leffecte & lentente de dite petition. *R. Le Roi voet qe le pardon estoise en sa force & si nul soit greve de faite a contrarie monstre en especial & droit lui serra fait.*

ITEM prie la commune qe come les marchantz & mariners Dengleterre qe xx ans passez & toutdiz adevant la navie de dit roialme estoit en touz portz & bones villes sur mier & sur ryvers si noble & si pleintivouse qe touz les pays tenoient & appel- loient nostre avantdit seignur le Roi de la mier & lui & tout son pays dotoient le pluis per mier & per terre per cause de la dite navie et ore il est ensi defencresceez & anientyz per diverses causes qe apoy ylia demure sufficientis a defendre la dite pays si grant mestier estoit encontre roial poiar y fuisse a grant perille com- munement de tout la roialme les queux causes serroit trop longe des toutz escrivre mes une cause est principal la longe arrest qe sovent ad este fait sur les niefs en temps de guerre cestassavoir per un qarter dan ou pluis avant qils passent hors de leur portz sanz rien prendre pur les gages de leur mariners durant cell temps ou les seignurs des niefs rien prendre de guerdon pur les appareillementz de leur ditz niefs & custages dount ils prirent en covre de charite covenable remedie. *R. Y plest au Roi qe la*
VOL. II. navie

navie soit meintenus & gardee a greindre ease & profit qe fait se poet.

ITEM purceque diverses meschies & desheritecons sont avenuz as diverses gentz de roialme per cause qe eschetours & autres ministres nostre seignur le Roi ount seizez plusours terres & tenementz en la main nostre dit seignur le Roi come forsfaiz a Roi pur treson ou felonie surmys en persones mortz qe unques en lours vies furent atteintz dount les ditz communes prient qe terres & tenementz de qeconques persones deviantz a la foie & ligeance nostre dit seignur le Roi ne soient desormes seizez ne tenuz come forsfaiz per cause de nulle felonie ne treson surmys es persones mortz. *R. Le Roi voet qe lestatut en ce cas fait soit tenuz.*

ITEM prient les communes de les countees de Somerset & Wiltes' qecome la ryvere apelle Avene perentre la citee de Bathe & la ville de Bristuo current en partie perentre les countees de Somerset & Glouc' per la quele vitailles as ditz communes necessaires en craers & batailles poent estre amenez & nemye per terre per obstacle de marreys per gorges de pierre & pale en le dit ryvere mys & faiz & la terre dun part & dautre de dit ryvere enhaue entaunt qe lewe est estoie arte & contrainct qe terres prees & pastures adgifantz sont enounde & per quele les ditz terres prees & pastures sovent sont destrutz & le passage des ditz craers & batailles ove vitailles et autres necessaries par les ditz communes perentre les avantditz lieux sont destourbez en damage & grevance des ditz communes dount ils prient remede qe les ditz gorges purreint estre abatuz ou overez issint qe les craers et les batailles purront passer entre les deux villes en ease des communes avantditz. *R. Pursue celui qi se sent greuz et droit lui serra fait solonc la fourme de lestatut en ce cas ordeine.*

ITEM a nostre dit seignur le Roi et a son dit conseil prient les communes qecome il estoit per lui grante qe nul purveioir fuisse sil ne fesoit son paiement sur laccat qe pleise a lui qe ceste ordinance soit tenuz come il estoit grante. *R. Il plest au Roi & celui qi se sente grevez pursue & droit lui serra fait.*

ITEM prie la commune qecome einz ces heures la ou plee ad este pendant entre nostre seignur le Roi et autres de communes de roialme si bien en leschequer come aillours certains ministres de conseil nostre seignur le Roi ount fait enpaneller certains gentz de eux mesmes autres qe le viscount de ly mesme voudroit avoir retourne et le dit panell ount baille a viscount par retourner a grant damage de la partie per qe pleise a nostre seignur le Roi granter qe desormes nul panell soit baille a viscount par retourner per aucun ministre nostre dit seignur le Roi eins qe les viscountes puissent faire les retournes deux mesmes tiels par queles ils voudront respondre a Roi et a la partie et si einz ces hures nul panell eit en tiel manere este retourne qel soit de tout

tout ouste et tenuz pur nul a quel hure qe la partie a qi il touche le voudra fuire ou chalenger sur le passer de dit enqueste. R. *Le Roi voet qe tiels executions soient faites en manere come la ley demande.*

ITEM purce qe laborers et servantz sey fuerent dun countee en autre dount les uns vont as grantz villes et devignent artificers les uns en estrange pays pur laborer per cause des excessives lowers nient demurantz en certain en nul lieu per qi execution del estatut ne puint estre fait vers eux et les uns devignent larons et pur ce qe punissement suffisaunt nest ordeine sur tiels qe les preignent et recettent dount soit ordeine remede. R. *Soyent les estatutz ent ordeinez gardez & duement executz.*

ITEM prie la commune qe la cirographer ne sez clerks ne preignent deformes pur la note et pur lengrosser dun fyn fors soulment iiij s. come per lestatut fust et qils facent engrosser les fyns a pluis toust come la ley le suffre sanz delay faire as parties pur pluis avoir pur lour travaill ou per colour de lour office sur peine de forfeiture de lour office et de paier a la partie greve sez damages a double Et qe les justices de bank facent execution de ceste ordeinance per pleint a suite de partie et qe les attornes faitz ou assignez a prendre la partie de cirographs eient power per force de mesme lordeinance cestassavoir chescun pur son mestier a prendre tiels plaintes sans autre garrant de attornie. R. *Il plest au Roi.*

ITEM pleise a nostre dit seigneur le Roi qe touz les viscountes et eschetours soient remuez chescun an come il estoit nadgairs ordeine per lestatut Et qe les viscontes et escheatours soient faitz des meultz vaues de countee qe purront respondre a Roi et a partie. R. *Le Roi le voet.*

ITEM monstre fa commune qils sont grandement empoverez per le savagnie qe destroient leurs blees et pastures isint qe plusours lessent leurs terres giser freschez de plusours villes desenhabitez pres les forestes pur quel desenhablement les communes portent grevous charges en diverses subfides et autres eides grantez a Roi per la commune Et auxint plusours sont enditez per savagnie pris hors del bounde del foreste et per tiels enditementz pris et emprisonnez et pur leurs deliverances paient fyns et raunions a Roi fees a foresters et as autres ministres al anientisement del dist commune et nul profit pur le Roi sur quoi supplie la dite commune qe nul fee nautre chose pur tieux enditementz deformes soit pris et qe gentz de pays purront chaser le purale sanz reez ou stableye faire sanz estre attache endite ou empesche par forester ou autre ministre. R. *Estoise la Charte de la Foreste en sa force & vertue.*

ITEM prie fa commune qecome avant ces hures fust ordeine qe le archevesque de Caunterbirs & autres evesques fassent
O 2 amendement

amendement de ce que leurs commissaires & officials des archidekenes & autres de leurs ministres pernent excesses pur proeve de testament & ent acquittance faire & ils ne fassent que le Roi face enquerre per ses justices de tiels excesses & ils le trouvent dajugger pur extortion & pur ce que tiels justices sont rerelement assiz par commission de enquerre de tiels excesses & extortions homme ne puisse mye estre aide de tiels injurmes faitz & per cel cause les avantditz commissaires & officials & leurs ministres oint pris plus quils ne soleient faire pur defaute de punissement que pleise de mettre en certain combien ils prendront et ils pernent oultre que chescun que soi sente greve qil poet purfure en chescun court ou il pleist per bref original ou per bille devant justices de record & que cely que seit trouve coupable de tiel extortionouse prise qil paiera disoith atant dount le Roi eit le moite & la partie que fust lautre moite. *R. Le Roi ad comande as prelatz qils facent due & convenable amendement & ils ne facent, le Roi ordenera de sa seignurie convenable remedie.*

ITEM prient les communes del roialme Dengleterre que come lercaveques evesques archideakenes & leurs officials commissaires & autres officers preignent des executours les sealx ove les cheynes de les testatours ou fyns & redemptions pur les ditz sealx ou autrement ils ne voillent delivrer administration des biens des ditz testatours a les executours per qi prient les ditz communes a nostre dit seigneur le Roi que si les ditz ministres de seint eglise de ceo soient atteintz a suite de Roi ou de partie per brief ou per bille qils paient disoith atant come ils receivoient & eit cely que sue pur le Roi ou pur lui mesmes lune moite & le Roi lautre moite auxibien de temps passe come de temps avenir. *R. Eient les prelatz & autres leur ministres les sealx & cheynes de ces qi les voillent doner de leur bon gree issint que nul soit contrainte a ce faire contre sa volonte.*

ITEM prie la commune que desicome en la Grande Chartre soit contenuz quod nulli negabimus nulli vendemus aut differemus rectum aut justitiam al entente des aucunes fyns que sont pris en la chancellerie en plusieurs briefs a contrarie del dit estatut en grant empoverissement de poeple de qui ils prient remedie & que le dit estatut soit desclarree. *R. Le Roi usera sicome il & ses auncestres ont fait avant ces Heures & chargera son chancelier que les fines soient resonables selonc lestat des persones.*

Cited in pref.
to 3Rep.f.4.a.

ITEM prie la commune que come recordes & queconque chose en la court le Roi de reson devoient demurrer illoques pur perpetual evidence eide de touz parties a ycely & de touz ceux a queux en nul manere ils atteignent quant mestier leur fust & ja de novel refusent en la court nostre dit seigneur de serche ou exemplification faire des nuelles riens que purra chier en evidence encontre le Roi ou desavantage de ly que pleise ordeler per estatut que serche & exemplification soient faitz as touz gentz de queconque recorde que les touche en aucun manere auxibien de

de ce qe chiet encontre le Roi come autres gentz. R. *Le Roi le voet.*

ITEM prie la commune qe come de chescun hundred des countees sur la mer sont trovez sur la garde de mier pur enemys alienz certains gentz qest appelle petiwacche a grant empoverissement des countees susditz & les queux gentz ne fount illeques autre bien si noun de garnir le pays de la venue des enemys le quel puiſt auxibien estre fait per meindre nombre des gentz qe pleiſe abregger & descharger chescun hundred de la moite des gentz susditz. R. *Les gardeins sur les costers de la meer per avis des seignurs & autres du pais ſacent mettre tiel nombre come leur semblera qe doit suffire de reson.*

ITEM prient totes les bones gentz des countees Desselx & Hertford a cest present parlement qe come les viscountes des ditz countees soient chargez de lever per an cclvij. lb. des fermes profitz & serjaunties des ditz countees en queles sommes avantditz chescun viscount perde per an c. li. & pluis queux ne purreient en nul manere estre levez per cause qe nostre dit seigneur le Roi nadgairs passe ad done certainz hundredes baillies & fees a diverses gentz & plufours rentes services & commodites as ditz viscountes & a son office appartenantz sont destructz per certain de ewe de mer per qe chescun an un homme de bien des ditz countees est destructz ameyns pur touz jours dount ils prient remedye. R. *Le Roi leur ad fait grace.*

Les petitions des citezeins & burgeis.

A Nostre seigneur le Roi & son noble conseil monstrent ſes citezeins de la citee de Londres qe come per estatut nadgaires fait fuisse ordeine qe nul homme de sa ligeance passeroit ove laynes hors du roialme sur peyne de forfaiture de vie & membre terres tenementz biens & chateux a grant profit des aliens & a deseres du pris de laynes & a damage de tout la roialme & puis per une autre estatut fuisse repellee la forfaiture de vie & membre sibien de temps passee come de temps avenir la forfaiture de terres & tenementz biens & chateux esteante en sa force per quele cause tout la commune des marchantz Engleys pur la greindre partie eschuerount & lesseront lachat & marchandise de laynes a grant amenusement du pris de laynes & damage de tout la commune. Et ou tard pur greindre profit du Roi & de tout la commune de son roialme per avys & accord de son conceil estoit assentu & ordinee qe toutez gentz devoient & purroient passer laynes sibien denzeins come foreins sur quele achat & passage des laynes qirs & peaux lanuz les ditz marchantz Engleys sont & se doutent estre empechees & damages sibien du temps passee come en temps avenir pur cause de la forfaiture de leur terres tenementz biens & chateux pur quoy pleſe en ceste present parlement faire pardon as ditz marchantz & a chescun de eux de tout forfaiture des terres tenementz biens & chateux compris en la dite ordenance sibien du

temps passé come en temps avenir & que briefs & maundementz soient sur ce faitz en lescheker & totes autres places le Rbi & aillours ou boïnera de surceler de tout de faire enquerres processe ou execution contre eux ou aucune autre persone pur cele cause & que la dite ordenance de forfaiture de terres & tenementz bienz & chateaux soit de tout repelle sibien de temps passé come de temps avenir. R. *Est acorde & assentu que la forfaiture de terres & tenementz cesse de tout & si nul vorra faire syn pur tiel trespas trcte ove le conseil le Roy & reson lui serra fait.*

ITEM ils monstrent que les gentz qi ont passez leur laynez qirs peaux lamuz per patente nostre seigneur le Roi desouz son grant seal sibien a Middleburgh come aillours paiant la custume & subside quele passage est encontre lordinance en la darrein parlement que leur plese garantir la dite passage saunz damage ou perde as ditz marchantz ou nul autre solonc la tenure des ditz patentes nient contresteaute le dit estatut & que leur plese avoir regard que lestaple des laynes ad esteé ordeineez destre en diverses lieux & fodeinement changez a damage du Roi & sa terre & sur ce ordeiner que le dit estaple puié estre ordeinee en ceste parlement destre en certain lieu & per bon avissement come mieulz serra au Roi & sa terre. R. *Le Roi ne voet qils soient grevez nenpeschez contre la fourme de leur patentes,*

Statutes made at *Westminster*, Anno 47 E D W. III.
and *Anno Dom.* 1373.

C A P. I.

The length and breadth of cloth of ray, and cloth of colour.

Ex edit. Rast.
Ray cloths.
Cloth of colour.

AT the grievous complaint of the comunalty, &c. First it is accorded, That the cloths of ray to be made in *England*, shall have the length of xxvii. ells measured by the list, and the breadth of v. quarters, and the cloth of colour, of the length of xxvi. ells measured by the back, and the breadth of vi. quarters at the least; and that the half cloth, be it of colour or of ray, shall hold the length and breadth aforesaid. after the rate. And if any cloth be put to sale after the Gule of *August*, that is not of the said assise, it shall be forfeit to the King, in whose hands soever it be found: *saving the clothes, which people make for their own use, or for their men, or to sell to less people, which shall not be forfeit, although they be not of such measure.*

Rep. by 5 & 6
Ed. 6. c. 6.
4 Eliz. c. 10.
4 Jac. 1. c. 2.

C A P. II.

The value of a Scottish groat shall be three pence.

Scottish groat.

ITEM, &c. it is accorded, That the *Scottish* groat shall be current of the value of iii. d. and of less money, according to the quantity. And if percase this *Scottish* money be impaired, the money so impaired shall be set at a less price, after the quantity of the impairing.

De

ardonationibus & gratiis factis per Regem comunitati regni sui Anglie anno quinquagesimo gni EDW. III.

tes made at Westminster Anno 50 EDW. III. and A. D. 1376.

EL assent des prelatz ducs countes barons & assemblez au parlement a Westm' a la quinziesme Hiller lan de regne nostreigneur le Roi d'Engleterre quantisme & de France septiesme meisme nostre Roi desirant molt paiz de sa terre soit enient garde & ses foiaiz en quiete & tranquillintentuz si ad par tant establi certaines ordinances & auxint ot certaines graces & pardons a la commune d'Engleterre la fourme qe sensuyt eslees ordinances pardones ces il voet qal honeur de & seinte esglise & quiete eisme son poeple soient ment tenuz & gardez en pointz.

BY the assent of the prelates, dukes, earls, barons, and other assembled at the parliament holden at Westminster, at the fifteenth of St. Hillary, the year of the reign of our lord the King that now is, of England the fiftieth, and of France the seven and thirtieth; the same our lord the King much desiring that the peace of his land be well kept, and his faithful subjects in quietness and tranquillity maintained, hath therefore made and established certain ordinances, and also granted certain graces and pardons to his commons of England, in the form as hereafter followeth: (2) which ordinances pardons and graces he will, for the honour of God and of holy church, and quietness of the same his people, they be firmly kept and holden in all points.

CAP. I.

A confirmation of the liberties of the church.

merement est ordeigne & stabli qe seinte esglise eit bertees & franchises en sanz empeschement ou urbanee ascune,

FIRST it is ordained and established, that holy church have all her liberties and franchises in quietness, without impeachment or other disturbance:

CAP. II.

Confirmation of the Great Charter and the Charter of the Forest.

IM qe la Grant Chartre & Chartre de la Foreste soient tenuz & gardez en pointz.

ITEM, That the Great Charter, and the Charter of the Forest, be firmly holden and kept in all points.

CAP. III.

The King's pardon to the people in the year of his jubilee.

ITEM, our sovereign lord the King, considering the great charges and losses which his said people have had and suffered in times past, as well by the wars, as otherwise by the pestilence of the people, murrain of beasts, and the fruits of the land, commonly failed by evil years in times past, whereof our sovereign lord the King hath great compassion, and for so much willing in this parliament now this present year, to do them greater grace than ever he did before: for as much as this year is rightfully the year of his jubilee, or the year of grace of his reign aforesaid accomplished, whereby his said commons may the better recomfort themselves, and thereby have the greater courage to do well hereafter; and also our said sovereign lord the King having in memory, how that in the year of his reign of England, the xxxvi. which was the 1. year of his birth, he made a grace and pardon to his said commons of England, pardoning them of all escapes of felons and chattels of felons and fugitives, trespasses, negligences, misprisions, ignorances, and many other articles of the eyre, and other things fallen and chanced within the same realm of England, whose punishment lieth in fine or in ransom, or in other pecuniar pains, or imprisonment, or in amercement of the commons of towns or of singular persons, or in charge of their freehold, that never trespassed, as heirs, or land tenants, of escheators, sheriffs, or coroners at the King's suit, willing and granting another time, that the same his commons should be thereof utterly discharged till the xiii. day of October, the said xxxvi. year, at which day the same pardon was made, as more plainly is contained in the same: will and granteth to the honour of God, which so long hath suffered him to reign over the same his people in prosperity: That the same his commons of England, and every singular person of the same, of what estate or condition that they be, as well small as great, shall have now and enjoy all such graces and pardons of all things comprised within the said pardon, fallen or chanced from the said xiii. day of October, till the beginning of this present 1. year. And moreover, our said sovereign lord the King, hath pardoned and released to his said commons, all manner of gifts, alienations, and purchases made by them or any of them, of lands and tenements holden of him in chief, without the King's licence, and all manner of entries, if they have made any in their heritage after the death of their ancestors, without suing them out of the King's hands by due process, till the beginning of the same fiftieth year, except those tenements which be aliened into *Mortmain*, and those tenements also which now be seised into the King's hands, because of alienations and entries, and hath wholly pardoned and released all fines, amerciements, issues, forfeits, reliefs, and escuages made, failed or chanced within the same realm of England. And also all manner of debts and accompts till the fortieth year of his reign. And also all manner of actions and demands, which he hath or may have by him sole, or else jointly

Pardon.

jointly with other persons, against any of his said commons, as well for the cause of the same debts and accompts, as otherwise, because of passages of wools, leather, and woollfells, or other merchandises to the parts beyond the sea, against the defences and ordinances thereof made, as well privily and in the name of the merchants, or by colour of letters patents granted at *Drodagh*, or elsewhere beyond the sea, as by any other way for these causes, and as well of the time of *Walter of Charkton*, and his fellows late farmers of the subsidy and customs, as in other times till the fortieth year of his said reign of *England*, except all the debts that be judged by seisin of lands or tenements, or to be determined in other manner, and except the debts that be now at this time due unto him by any that have been sheriffs, eschetors, collectors of customs and subsidies, *dismes* and *quinzimes*, fermors of manors, victuallers, and other that have been in great offices with our sovereign lord the King in times past, which be yet in plain life. And also our sovereign lord the King hath general pardoned them the suit of his peace, for all manner of felonies done or committed before the beginning of the said fiftieth year, with the outlawries if any be in them by such enchesons pronounced. *Except always treasons, murders, common thefts, and also rapes of women. But always it is the King's mind that Sir William Wickham, bishop of Winchester, shall nothing enjoy of the said graces, grants, and pardons, nor in no wise be comprised within the same: nor that none shall enjoy any thing of the said graces, or pardons of felonies, unless they pursue their charters in especial, betwixt this and the nativity of St. John Baptist next coming.*

CAP. IV.

No prohibition shall be allowed after consultation duly granted.

ITEM est ordine & establi de lassent avantdit qe par la ou consultation est une foitz duement grauntéz sur prohibition faite a juge de seinte esglise qe meisme le juge puisse proceder en la cause par virtue de meisme la consultation non obstante ascun autre prohibition sur ceo a luy baille purveu toutefoitz qe la matire en la libel du dite cause ne soit engrossée enlargée ou par autre manere chaungée.

ITEM, it is ordained and established of the said assent, Cro.Car. 108. 1 Roll, 378. That whereas a consultation 2 Roll, 207, 500. is once duly granted upon a prohibition made to the judge No prohibition shall be of the holy church, that the allowed after same judge may proceed in a consultation the cause by virtue of the same duly granted. consultation, notwithstanding 3 Bulstr. 182. any other prohibition there- Carthew, 463. upon to him delivered: pro- Latch. 6. vided always, that the matter Regist. 45. in the libel of the said cause be not engrossed, enlarged, or otherwise changed.

CAP.

CAP. V.

None shall arrest priests or clerks doing divine service.

1R.2.c.15.
None shall arrest parsons or clerks doing divine service.

ITEM, because that complaint is made to our lord the King by the clergy of his said realm of England, that as well divers priests bearing the sweet body of our Lord Jesus Christ to sick people, and their clerks with them, as otherwise divers other persons of holy church, whiles they attend to divine services in churches, churchyards, and other places dedicate to God, be sundry times taken and arrested by authority royal, and commandment of other temporal lords; in offence of God, and of the liberties of holy church, and also in disturbance of divine services aforesaid; (2) the same our lord the King, who would be sore displeased if any did in such manner, will and granteth, and defendeth upon his grievous forfeiture, That none do the same from henceforth, so that collusion or feigned cause be not found in any of the said persons of holy church in this behalf.

ITEM pur ceo qe plainte est faite a nostre seigneur le Roi par le clergie de son dit roialme d'Engleterre qe sibien diverses prestres portants le corps nostre Seignur Jesu Christ as malades & leur clerks oveſque eux come autrement plusours autres personnes de seinte esglise tant come ils entendent as divines services es esglises cimmitoires & autres lieux dediez a Dieu sont plusours soitz pris & arrestuz par auctorite roiale & commandement des autres seignours temporeles en offence de Dieu & de libertee de la seinte esglise & auxint destourbanche des divines services avantditz mesme nostre seigneur le Roi a qi meult despleroit si nully le fist en tiel manere voet & grante & auxint defende sur sa grevoſe forfaiture qe nully le face desoremes isint qe collusion ou cause feyne ne soit trove en ascun des ditz parsones de seinte esglise en celle partie.

CAP. VI.

Fraudulent assurances of lands or goods, to deceive creditors, shall be void.

Rast. 197.
Dyer, 295.
Fraudulent assurances of lands or goods to deceive creditors shall be void.

ITEM, because that divers people inherit of divers tenements, borrowing divers goods in money or in merchandise of divers people of this realm, do give their tenements and chattels to their friends, by collusion thereof to have the profits at their will, and after do flee to the franchise of Westminster, of St. Martin le Grand of London, or other such privileged places, and there do live a great tyme with an high countenance

ITEM pur ceo qe diverses gentz inheritez dez diverses tenementz creanceantz diverses biens en monioie ou en merchandise des plusours gentz de roialme donnonnt leur tenementz & chateux a leur amys par collusion davoit ent les profitz a leur volente & puis sensuent a la fraunchise de Westm' ou seint Martyn le Grant en Londres ou autres tielx places privilegeez & illoques

ivent long temps a grant
 nance d'autry biens &
 ofitz des ditz terres &
 x tanqe les ditz credi-
 ferront molt leez de
 r une petite parcelle de
 ettes & releffer le rema-
 ordeigné est & assentuz
 urra estre trovez qe tielx
 soient islint faitz par
 on qe les ditz creditours
 execution des ditz tene-
 & chateux auxi avant
 nul tiel doun nent euste
 ite.

nance of another man's goods and
 profits of the said tenements and
 chattels, till the said creditors
 shall be bound to take a small
 parcel of their debt, and release
 the remnant; (2) it is ordained
 and assented, that if it be
 found that such gifts be so
 made by collusion, that the
 said creditors shall have execu-
 tion of the said tenements and
 chattels, as if no such gift had
 been made.

2R.a.c.3.
 3H.7.c.4.
 13El.c.5.

CAP. VII.

*len cloths shall not be transported before they be
 fulled.*

M ordeigne est & de-
 iduz par nostre feignur
 qe nulles draps de leyns
 amefnez nulle part hors
 alme d'Engleterre devant
 sient fullez ne qe nulle
 ent soit demande ou
 devant ceo qils soient

ITEM, it is ordained and Woolen cloth
 determined by our lord the shall not be
 King, that no woollen cloths transported
 shall be carried into any part before it is
 out of our realm of England fulled.
 before they be fulled; nor that
 any subsidy be thereof deman-
 ded nor paid, before that they
 be fulled.

7Ed.4.c.3.
 3H.7.c.11.

CAP. VIII.

ain cloths whereof no subsidy or aulnage shall be paid.

M, it is ordained and established, That no subsidy nor Cloth called
 lnage shall be paid, levied, nor demanded of clothes called frifeware.
 are, which be made in *Ireland*, or otherwise in *England* of
 wool, brought within the realm of *England*, because that
 clothes do not contain the length and breadth ordained by
 atute, and for so much they ought not to be comprised
 statutes late made of ray clothes and coloured clothes.

2Ed.3.c.14-
 25Ed.3.stat.4.
 c.1.

47Ed.3.c.1.
 10Ann.c.16.

*and the statutes made in the time of the noble King
 EDWARD the Third.*



Anno

Anno primo RICHARDI Secun

Statutes made at *Westminster* the first year o
reign of King RICHARD II. after the con
of *England*, in the year of our Lord
1377.

RICHARD by the grace of
God King of England and
of France, and lord of Ireland,
to the sheriff of Northampton,
greeting. Know thou, that to
the honour of God and reverence
of holy church, for to nourish
peace, unity, and concord in all
the parts within our realm of
England (which we do much de-
fire) by the whole assent of the
prelates, dukes, earls, and ba-
rons of this our realm, at the in-
stance and especial request of the
commons of our realm assembled at
our parliament holden at West-
minster the fifteenth day of St.
Hillary, in the first year of our
reign, we have ordained and sta-
blished certain statutes in amend-
ment and relief of this our said
realm, in manner and form fol-
lowing.

RICHARD par la
de Dieu Roi d'Eng
& de Fraunce & seignou
land a nostre viscount de.
saluz. Sachez qal honc
Dieu & reverence de sei
glise pur nurrir paix ur
concorde toutz partz
nostre roialme d'Englete
quele nous desirons mou
tierment del assent des
tes ducs contes & baro
mesme nostre roialme
stance & especial requel
communes de nostre rc
avantdit assemblez a
parlement tenuz a Wel
la quinzain de Seint M
lan de nostre regne prin
vons fait ordeigner & ef
certeins estatutz en am
ment & relievment de
me nostre roialme en la
que sepsuyt,

CAP. I.

*A confirmation of the liberties of the church, and of al
stutes not repealed.*

A confirma-
tion of the li-
berties of the
church.

The great
charter read
in parliament.

FIRST it is agreed and esta-
blished, That holy church
shall have and enjoy all her
rights, liberties, and franchi-
ses wholly and without blemish;
(2) and that the Great
Charter, which at the request
of the said commons was read
in the said parliament, and
also the Charter of the Forest,
and all other good statutes and
provisions made in the time
of the progenitors of our lord
the

PRimerement est assent
establiz qe seint egli
& enjoise toutes ses droi
libertes & fraunchises ei
ment & sanz embleness
& qe la Grande Chartre q
request de la dite commu
stoit lu en dit parleme
auxint la Chartre de la F
& toutes les autres bones
nances & estatutz fait
temps des progenitours
seigneur le Roi qore est &

soient tenuz & ferme- the King that now is, and not
rdez en touz poynitz. repealed, shall be observed and
firmly kept in all points:

CAP. II.

Peace shall be kept, and justice shall be done to all persons.

¶ nostre seignour le Roi
tant souverainement la
lite & quiete de son poe-
t & comande estroite-
la paix deinz son roi-
Engleterre soit ferme-
nuz & gardez issint qe
loialx subgitz purront
sauvement & pesible-
venir & demorer so-
loys & usages du roy-
qe bone justice & owel
it fait a chescun.

ITEM, our said lord the King greatly desiring the tranquility and quietness of his people, willesh and straitly commandeth, That the peace within his realm of *England* be surely observed and kept, so that all his lawful subjects may from henceforth safely and peaceably go, come, and dwell according to the law and usage of the realm; (2) and that justice and right be indifferently ministered to every person.

Peace shall be maintained and justice shall be done.

CAP. III.

Prelates shall have their actions of trespass against purveyors offending.

¶ That the statutes late made in the time of the noble King *Edward*, grandfather to our lord the King that now purveyors and buyers shall be firmly observed and kept in force, adding thereunto because that prelates and clerks at theroof commence their suits against any by way of (as the said statutes required) all prelates and clerks shall henceforth have their actions against all such purveyors and by actions of trespass and recover their treble damage.

Prelates shall have their actions of trespass against purveyors, offending, and recover treble damages.
3 Ed. 1. c. 1.
14 Ed. 3. stat. 2.
14 Ed. 3. stat. 3.
c. 1.
18 Ed. 3. stat. 3.
c. 4.
Regist. 281.

CAP. IV.

Several penalties of several persons that do maintain quarrels.

¶ ordeine est & establi
e Roi nostre seignour
estroitement qe nul
r officer ou servant
ovesqe lui nascun autre
du roialmed Engleterre
il estate ou condition
int nenpriegnent de fore
ignent ascun querell par
nance en pais ou ail-
ur grevouise peyne cest
les ditz conseillers &
officers du Roi sur pey-
serra ordeigne par le
Roi

ITEM, it is ordained and established, and the King our lord straitly commandeth, That none of his counsellors, officers, or servants, nor any other person within the realm of *England*, of whatsoever estate or condition they be, shall from henceforth take nor sustain any quarrel by maintenance in the country, nor elsewhere, upon a grievous pain; (2) that is to say, the said counsellors and the King's great

The several penalties of several persons which do maintain quarrels.
Rast. 119, 427, &c.
Cro. El. 594.

great officers upon a pain which shall be ordained by the King himself, by the advice of the lords of his realm; (3) and other less officers and servants of the King, as well in the exchequer and all his other courts and places, as of his own meiny, upon pain to lose their offices and services, and to be imprisoned, (4) and then to be ransomed at the King's will, every of them according to their degree, estate, and desert; (5) and all other persons through the realm upon pain of imprisonment, and to be ransomed as the other aforesaid.

3 Ed. 1. c. 28.
Regist. 182, &c.
28 Ed. 1. stat. 3.
c. 11.

Roi mesmes del avys des seignours de roialme & les autres meyndres officers & servantz le Roi sibien en leschequer & en toutes ses autres courtes et places come de sa propre megnée sur peine de perdre leur offices et services et destre emprisonnez et dilloeqes estre reintz a la volente le Roi chescun de eux solonc ses degre estat et desert et toutz autres personnes parmy le roialme sur la dite peyne denprisonnement et destre reintz come les autres defus ditz.

CAP. V.

The punishment of a clerk of the exchequer making process for a debt paid.

The punishment of a clerk of the exchequer making process for a debt that is paid.

ITEM it is ordained, That all statutes and ordinances made before this time of officers of the exchequer, be holden and firmly kept in all points. (2) And moreover it is ordained and established, That at what time any debts be once paid, and the tallies thereof made, rejoined and allowed in the said exchequer, that this debt shall never come in demand. (3) And if it so happen, that after such allowance made there, any clerk of the exchequer make any writ or process to levy the same debt of new, and that duly proved, the same clerk shall lose his office, and have imprisonment till he hath made gree to the party by so much as he is endamaged, if any will sue, by the discretion of the treasurer and the barons of the exchequer.

51 H. 3. stat. 5.
10 Ed. 1. stat. of
Rutland.
37 Ed. 3. c. 4.

ITEM ordeigne est que toutz estatutz et ordeignances faitz avant ses boeures des officers del eschequer soient tenuz et fermement gardez en toutz poyntz. Et outre ce ordeigne est et establiz que a quel heure qascuns dettes soient un foitz paieez et les tallies ent faitz rejointz et allowez en dite eschequer que cel dette ny courge jamais en demande. Et sil aveigne ensi qapres tiel allowance fait illoeqes aucun clerc du dit eschequer face brief ou proces pur lever mesme le dette de novel et ce duement provez que mesme le clerc perde son office et eit la prison tanque il avera fait gree a la partie par tant en damage si ascuny vorra suyr par la discretion des tresorer et barons du dit eschequer.

CAP. VI.

missions shall be awarded to enquire of and punish the misbehaviour of villains and land-tenants to their lords.

TEM, at the grievous complaint of the lords and commons of the realm, as well men of holy church as other, made in the parliament, of that that in many signories and parts of the realm of England villains and landtenants in villenage, who owe services and customs to their said lords, have now late withdrawn, and do daily withdraw their services and customs due to their said lords, by countenance and procurement of other their counsellors, maintainers and abbots in the country, which hath taken hire and profit of the said villains and landtenants, by colour of certain exemplifications made out of a book of doomday of the manors and towns where they have been dwelling, and by virtue of the same exemplifications, and their evil interpretations of the same, they affirm them to be quite and utterly discharged of all manner servage, due as well of their body as of their lands and tenures, and will not suffer any distress or other justice, to be done upon them, but do menace the ministers of their lords of life and member, and (which more is) gather themselves together in great numbers, and agree by such confederacy, that every one shall aid other against their lords with strong hand: and much other harm they do sundry manner, to the great damage of their said lords, and evil example to other to begin such riots: so that if due remedy be not taken, heretofore provided upon the same rebels, greater mischief (which God forbid) may thereof spring through the realm: It is ordained and blisshed, that the lords which feel themselves grieved, shall have special commissions under the great seal to the justices of peace, or to other sufficient persons, to enquire of all such rebels, and of their offences, and their counsellors, procurers, maintainers and abettors, and to imprison all those that therein shall be indicted before them, as well for the time past, as for the time to come, without delivering them out of prison by writ of habeas corpus, bail, or otherwise, without assent of their lords, till they be therewith acquitted or acquitted. And that the same justices shall have power to hear and determine as well at the King's suit as at the suit of the party. Provided always, that if the said villains or landtenants, rebels, be thereof attainted at the suit of their said lords, they shall in no wise be delivered, till they have made a fine to the King, and also they to have the assent of their lords aforesaid. And as to the said counsellors, procurers, maintainers and abettors, such process in like manner shall be made of them, which thereof shall be attainted, so that they shall in no wise be delivered from prison, till they have made fine to the King, and agree to the lords so grieved, according as their estates and the quantity of their offence doth require, if the same lords will sue against them by writ or by bill, saving always, as the said fines, the franchises and liberties of lords, which they have and amerciements of their tenants. And as the said exemplifications made and purchased as afore is said, which

Ex edit. Rast.
Villains.
Landtenants.

Book of
doomday,

Justices of
peace.

Exemplifica-
tions.

were caused to come in the parliament, and to be declared the said parliament, that the same may not nor ought to or hold place to the said villains or landtenants, as to franchise of their bodies, nor to change the condition of tenure and customs of old time due, nor to do prejudice to said lords, to have their services and customs as they were of old time. And it is ordained, that upon this declaration said lords shall have letters patents under the great seal, any and such as they shall need, if they the same require.

20 Car. 2. c. 24.

CAP. VII.

There shall be no giving of liveries for maintenance.

ITEM, because that divers people of small revenue of land, rent, or other possessions, do make great retinue of people, as well of esquires as of other, in many parts of the realm, giving to them hats and other liveries, of one suit by year, taking of them the value of the same livery, or percase the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people; (2)

Statutes ordained against maintenance shall be kept.

The punishment of them which give liveries for maintenance.

Justices of assise shall enquire of, and punish this offence.

20 R. 2. c. 1.

it is ordained and assented, That the statutes and ordinances made in such case before this time, be kept and duly executed. (3) And moreover the King doth straitly defend, that from henceforth no such livery be given to any man for maintenance of quarrels, nor other confederacies, upon pain of imprisonment and grievous forfeiture to the King: (4) and the justices of assises shall diligently enquire of all them that gather them together in fraternities by such livery to do maintenance; (5) and they which thereof shall be found guilty, shall be duly punished, every man after the quantity of his desert.

ITEM pur ce que plusieurs gentz de petit garison terre rent ou d'autres possessions font grantz retenues des siens desquiers come de en plusieurs parties del royaume donantz a eux chaperons autre livree dun fuyte par repreneantz vers eux la de cel livree ou par ce double value par tiel covenant & assurance que chescun d'eux maintiendra autre en querelles soient eles resonables ou non resonables a grant chief & oppression du peuple ordeigne est & assentuz que estatutz & ordenances en tieu cas avant ses heures soient gardez & duelement cutz. Et outre ce le Roi defend estreitment que de mes nul tiel livree ne done a nully pur maintenir des querels nautre confederacie sur peyne de prison & grevousse forfaiture au Roi Et enquergeront diligement les justices des assises de ceux qui se coillent ensemble fraternitez par tiel livree a maintenance & ceux qui seront trovez coupables duement punys chescun de la quantite de sa desert.

CAP. VIII.

it case a protection cum clausula volumus is not allowable.

Il est assentuz qe desore protection ove clause de s soit allowe devant age pur vitailles pris ou sur le viage ou service protection fait men- uixint en ples de tref- lautre contracte fait ou z puis la date de mesme ction.

ITEM, it is assented, That from henceforth no pro- tection with the clause of *volumus* be allowed before any judge for victuals taken or bought upon the voyage or service whereof the protection maketh mention, nor also in pleas of trespass, or of other contract, made or perpetrate after the date of the same pro- tection.

In what case a protection cum clausula volumus is not allowable. Reg. 22. 33 Ed. 1. stat. 6. Stat. de protectionibus 13 R. 2. stat. 1. c. 16.

CAP. IX.

rent of lands or gift of goods for maintenance shall be An assise is maintainable against the pernor of the ts of lands.

Il pur ceo qe pleint est a Roi qe plusieurs gentz roialme sibien greyn- ome meyndres eiantz verrois titles sibien as nementz & rentz come s actions personels font asement delaiez de lour actions parmy ceo qe apours ou defendantz e sustenuz & maynte- lour tort font commu- dounes & feoffementz terres & tenementz qe debate & de leurs au- ns & chateux as seig- autres grantz du roi- rs queux les ditz pur- pur grant manace qe faite ne poient ne ne iure lour pursuytes & dautre part pleinte qe meyntfoitz plu- entz disseisent autres tenementz & tantost disseisine fait font di- alienations & feoffe- ascunfoitz as seignurs z de roialme pur mey- II. tenance

ITEM, because it is complain- ed to the King, That many people of the said realm, as well great as small, having right and true title as well to lands, tene- ments and rents, as in other per- sonal actions, be wrongfully delayed of their right and actions, by means that the occupiers or defen- dants to be maintained and sus- tained in their wrong, do com- monly make gifts and feoffments of their lands and tenements which be in debate, and of their other goods and chattels to lords and o- ther great men of the realm, a- gainst whom the said pursuants, for great menace that is made to them, cannot nor dare not make their pursuits: (2) and also on the other part complaint is made to the King, that oftentimes many people do disseise other of their te- nements, and anon after the dis- seisin done, they make divers alie- nations and feoffments, sometime to lords and great men of the realm to have maintenance, and some- time to many persons of whose

1 Co. 123.

P

names

names the disseisees can have no knowledge, to the intent to defer and delay by such frauds the said disseisees, and the other demandants and their heirs, of their recovery, to the great hindrance and oppression of the people: (3) It is ordained

3Ed.1.c.24.
Co.Lit.369. a.
A feoffment of lands or gift of goods for maintenance shall be void.
Rast.68.

A disseisee may maintain an assise against the person of the profits.

Altered by
4 H.4.c.7.
11 H.6. c.3.
1 H.7. c.1.
27 H.8.c.10.

and established, That from henceforth no gift or feoffment of lands, tenements, or goods be made by such fraud or maintenance; (4) and if any be in such wise made, they shall be holden for none and of no value; (5) and the said disseisees shall from henceforth have their recovery against the first disseisors, as well of the lands and tenements, as of their double damages, without having regard to such alienations, so that the disseisees commence their suits within the year next after the disseisin done. (6) And it is ordained and established, That the same statute shall hold place in every other action in plea of land where such feoffments be made by fraud or collusion, to have their recovery against the first such feoffor. (7) And it is to wit, that this statute ought to be understood where such feoffors thereof take the profits.

tenance avoir & ascunfoitz as plusours perſones de qi nouns les disseisez ne poent avoir conissance au fin dalloigner & delaier par tieux fraudes les ditz disseisez & les autres demandantz et leur heirs de leur recovrer a grant anientissement & oppression du poeple ordeigny est & establi qe desormes nulle don ou feoffement des terres tenementz ou biens soit fait par tiel fraude ou mayntenance & si ascuns soient faitz tielment soient tenuz pur nulles & de nulle value & eient defore les disseisez leur recoverir vers les premiers disseisours sibien des terres & tenementz come de leur doubles damages sanz avoir regard as tielx alienations parissent qe les disseisiz commencent leur suytes deinz lan prochain apres la disseisine faite. Et est ordeigne & assentuz qe mesme cest estatut teigne lieu en chescun autre action ou ple de terre ou tielx feffementz sont faitz par fraude ou collusion davoir leur recovrer vers le premier tiel feffour. Et est assavoir qe cest estatut doit estre entenduz la ou tieux feffours ent preignent les profits.

4H.4.c.7.
4H.7.c.24.

C A P. X.

A confirmation of the pardon granted by King Edw. III. in the 50th year of his reign.

Ex edit. Rast.
Pardon.

ITEM, *our sovereign lord the King, desiring the quietness of his people, will and granteth, of the assent aforesaid, That the general pardons and graces, which the noble King EDWARD, grandfather to our sovereign lord the King that now is, made to his people of England in the L. year of his reign, shall hold place, and be allowed in the exchequer aforesaid, and elsewhere, for all people comprised within the same pardons and graces, as well of ships, victuals, artillery, armour, and vessels, not expressed specially in the same, as of all debts and accompts and other things there comprised in general.*

CAP.

CAP. XI.

e that hath been sheriff shall be so again within three years.

TEM ordeigne est qe nully ad este viscont dune conte un an entier ne soit deinz rois anz profcheins ensu-recelus ou remys en dite de viscont si y soit autre ant en dite contee des pos-sions & biens pur respondre i & a poeple.

ITEM it is ordained, That none that hath been sheriff of any county by an whole year, shall be within three years next ensuing chossen again, or put in the same office of she-riff, if there be other sufficient in the said county of possessions and goods to answer to the King and his people.

None that hath been she-riff shall be a-gain in three years.
Rast. 242.
14 Ed. 3. stat. 1.
C. 7.
42 Ed. 3. c. 9.
23 H. 6. c. 8.

CAP. XII.

isoner by judgement shall not be let at large. Confession of a debt to the King to delay another's execution.

TEM pur ce qe diversez gentz a fuyte de partie codez a la prisone de Flete judgement renduz en les tes nostre dit seignur le Roi plusours foitz soeffertz aler ge par le gardein de la dite ne alefoitz par maynpris ou & alefoitz sanz aucun mayn-avec une baston de Flete & vont en paiis entour lour handise & autres lour bo-nes & y sont longement hors rison noetz & jourz sanz at de ceux a qi fuyte ils y ajuggez & sanz lour gree aire par ont homme ne po-mais venir a son droit rer devers tieuz enprisonnez unt meschief & anientisse-t de plusours gentz ordeig-est & assentuz qe desormes gardein de la dit prisone de soeffre aucun prisoner illo-esteantz par jugement al de partie aler hors du pri-par maynpris baill ne par on sanz gree faire as ditz es de ceo pur quoi ils y ent ajugez si ne soit par ou autre mandement du sur peyne de perdre fort e & la garde de dite prisone.

Et

ITEM, whereas divers people, at the suit of the party com-manded to the prison of the Fleet, by judgement given in courts of our lord the King, be oftentimes suffer-ed to go at large by the warden of the prison, sometimes by mainprise or by bail, and sometimes without any mainprise with a baston of the Fleet, and to go from thence into the country about their merchandises and other their busineses, and be there long out of prison nights and days, without their assent at whose suit they be judged, and without their gree thereof made, whereby a man cannot come to his right, and recovery against such prisoners, to the great mischief and undoing of many people: (2) it is ordained and assented, That from hence-forth no warden of the Fleet shall suffer any prisoner there being by judgement at the suit of the party, to go out of pri-son by mainprise, bail, nor by baston, without making gree to the said parties of that whereof they were judged, unless it be by writ or other commandment of the King, upon pain to lose his office, and the keeping of the said prison. (3) And more-

1 Bulstr. 97.
Plo. 35.
Dyer, 66, 162,
271, 278, 297,
306, 322.
3 Co. 52, 71.
5 Co. 89.
8 Co 142.

P 2

over

The penalty of the warden of the fleet, if he suffer a prisoner, being there by judgement, to go at large. 13 Ed. 1. stat. 1. c. 11.
2 Saund. 38.
The penalty of him who confesseth a debt due to the King, to delay another's execution.

over, if any such warden from henceforth be attained by due process, that he hath suffered or let such prisoner to go at large against this ordinance, then the plaintiffs shall have their recovery against the same warden by writ of debt. (4) And also it is ordained, That if any at the suit of the party judged to another prison for debt, trespass, or other quarrel, will confess himself voluntarily, and by a feigned cause, debtor to the King, and by that means to be judged to the said prison of the fleet, there to have greater sweet of prison than elsewhere, and so to delay the party of his recovery; the same recognisance shall be there received, and if he be not debtor to the King of record, his body shall incontinently be remanded to the prison where he was before, there to remain till he hath made gree to the said party, and the same gree made, he shall be immediately sent again to the Fleet, there to abide, till he hath gree to the King of his recognisance afore said.

7 H. 4. c. 4.

Et en outre si nul tiel gardeil^{it} soit de force atteint par due process qil avera soeffert ou lesset^z tiel prison aler a large encontre cest ordinance adonques y eient les pleintifs lour recoverer vers mesmes les gardeins par brief de dette. Et auxint est ordeine qe si nully a suyte du partie ajugez a autre prison pur dette trespass ou autre querelle se voille consuivre volontrement & par feynat cause dettour a Roi & par tant estre ajugez a la dite prison de Flete pur greynour suete y avoir de prison qe ailleurs & issint delaier la partie de son recoverer soit cell recognisance resceu illeogs & sil nte soit autre part dettour a Roi de recorde soit son corps tantost remandez a la prison ou il estoit devant a y demurer tanqil avera fait gree a la dite partie & cell gree fait soit immediat remandez a Flete pur y demurer tanqil avera fait gree a Roi de sa reconisance avandite.

CAP. XIII.

Ecclesiastical judges shall not be vexed for suits for tithes in a spiritual court.

2 Inst. 489, 490.
Ecclesiastical judges nor other shall be indicted or imprisoned for suits in any spiritual court for tithes, &c.

ITEM, *the prelates and clergy of this realm do greatly complain them, for that the people for holy church, pursuing in the spiritual court for their tithes, and their other things, which of right ought, and of old times were wont to pertain to the same spiritual court, and that the judges of holy church, having cognisance in such causes, and other persons thereof meddling according to the law, be maliciously and unduly for this cause indicted, imprisoned, and by secular power horribly oppressed, and also enforced with violence by oaths and grievous obligations,*

ITEM les prelatz & le clergie de dit roialme se pleignent grandement de ce qe les gentz de seint eglise poursuivantz en court christiene pur lour dismes & autres choses quele de droit deyvent & de aunciene soleient appartenere a mesme la court christiene & les juges de seint eglise conissantz en tiels causes & autres persones soyent entremettantz solonc la ley sont malicieuxment & nondueument par celle cause enditez en prisonnez & par seculer poair orriblement oppressez & auxint efforcez

ez ove violence par ser-
 & grevoues obligations
 outz dautres maners non
 ent compulsez a desister
 ter outrement es choses
 ites encontre les libertees
 chises de seint eglise par
 st assentuz qe touz tielx
 tions faitz ou affaires par
 & violence ne soient
 s dascun value. Et quant
 qi procurent par malice
 enditementz & destre
 s des enditours apres ceo
 enditez ent sont aquitez
 & encourent tieux pros
 s & enditours mesme la
 qest contenue en lestatut
 stm' seconde. de ceux qi
 ent faux appellees estre
 Et eient les justices des
 ou autres justices devant
 tieux enditez serront a-
 poiair denquerre de
 rocurours & enditours
 es punir duement ches-
 onc son desert.

*obligations, and many other means
 unduly compelled to desist and cease
 utterly of the things aforesaid, a-
 gainst the liberties and franchises of
 holy church: (2) wherefore it is
 assented, That all such obliga-
 tions made or to be made by
 dures or violence, shall be of
 no value. And as to those that
 by malice do procure such in-
 dictments, and to be the same
 indictors, after the same indic-
 tees be so acquit, such procu-
 rers shall have and incur the
 same pain that is contained in
 the statute of Westminster the
 second, of those which procure
 false appeals to be made. And
 the justices of assises, or other
 justices, before whom such in-
 dicttees shall be acquit, shall
 have power to inquire of such
 procurers and indictors, and du-
 ly to punish them according to
 their desert.*

The penalty
 of those which
 do procure
 such indict-
 ments.

13 Ed. 1.
 stat. 1. c. 12.

CAP. XIV.

*action of goods taken away, the defendant maketh title
 for tithes due to the church.*

M est assentuz qe a quel
 re qe ascun persone de
 lise soit treet en plee en
 eculer pur ses propres
 prizez par noun des bi-
 portez & celui qe ensi
 reet en plee face excep-
 allegge qe la substance &
 le la bofoigne soit soule-
 r dismes duez de droit &
 n de sa eglise ou a au-
 benefice qe en tieu cas
 avcrement ne soit jam-
 : sainz monstrier matier
 coment ceo fuist lay

ITEM it is accorded, That In an action of
 at what time that any per- goods carried
 son of the holy church be drawn away the def-
 in plea in the secular court for endant
 his own tithes taken, by the makes his title
 name of goods taken away, for tithes due
 and he which is so drawn in to his church.
 plea maketh an exception, or
 alledgeth, that the substance
 and suit of the business is only
 upon tithes due of right and of
 possession to his church, or to
 another his benefice, that in
 such case the general averment
 shall not be taken without shew-
 ing specially how the same was
 his lay-chattel.

CAP. XV.

The penalty for arresting of priests during divine service.

50 Ed. 3. c. 5.
1 Mar. sess. 2.
c. 3.
2 Bulst. 72.
Cro. Jac. 321.
pl. 4.

The penalty
for arresting a
priest doing
divine service.

Brownl. 301.

ITEM, because that prelates do complain themselves, that as well beneficed people of holy church, as other, be arrested and drawn out as well of cathedral churches, as of other churches and their churchyards, and sometime whiles they be intending to divine services, and also in other places, although they be bearing the body of our lord Jesus Christ to sick persons, and so arrested and drawn out, be bound and brought to prison against the liberty of holy church: (2) it is ordained, That if any minister of the King, or other, do arrest any person of holy church by such manner, and thereof be duly convicted, he shall have imprisonment, and then be ransomed at the King's will, and make gree to the parties so arrested; (3) provided always, That the said people of holy church shall not hold them within the churches or sanctuaries by fraud or collusion in any manner. (4) And therefore we command, That thou cause all the said statutes to be cried and published, and firmly kept through thy bailiwick, according to the form and tenour thereof, and that do not omit in any wise. Given under the witness of our great seal the first day of February, in the first year of our reign.

Consimiles literæ diriguntur singulis vicecomitibus per Angliam sub eadem data.

Statutes made at Gloucester, Anno 2 RICH. II.
stat. 1. and Anno Dom. 1378.

OUR lord the King, at his parliament holden at Gloucester the Wednesday next after the feast of St. Luke, the second year of

ITEM pur ce que les prelatz se font pleindre que sibien gentz de seint eglise beneficz come autres sont arestuz & horstreez sibien des esglises cathedrales come des autres esglises & lour cimiers & tant come ils sont alefoitz entendantz a divines services & auxint en autres lieux tout soient ils portantz le corps nostre seigneur Jesu Crist as malades & issint arestuz & forstretz sont liez & menez en prisonne encontre la fraunchise de seint eglise ordeigne est que si nulle ministre du Roi ou autre face arester ascun persone de seint eglise par tiel manere & ent soit dument convict eit la prisonne & ent soit reïnt al volunte le Roi & face gree as parties issint arestuz purveue toutfoitz que les dites gentz de seint eglise ne se tieignent deinz les eglises ou sanctuaries par fraude ou collusion en ascun manere. Et pur ce vous mandons que toutes les dites estatutz facez crier & publier et fermement tener parmy vostre bailly selonc la forme et tenure dicelles et ce ne lesez en ascun manere. Don' par tesmoignance de nostre grande seal a Westm' le primer jour de Fevrier lan de nostre regne primer.

LE Roi a viscont de Kent fa-
luz. Savoir vous faceons
que a nostre parlement tenuz a
Gloucestre le Meskerdy prof-
chein

chein apres le fest de seint Luk darrein passe entre autres choses illoeqes assentuz & accordez estoient faitz certains estatutz & ordinarces sibien pur commune profit come par maintenance de la paix deins nostre dit roialme en la forme qensuyt.

of his reign, amongst other things there assented and accorded, hath made certain statutes and ordinances, as well for the common profit of the realm, as for the maintenance of the peace of his said realm, in the form following.

CAP. I.

All merchants may buy and sell within the realm without disturbance.

Primement pur ce que avant ces heures en temps le noble Roi E. aiel nostre seignur le Roi qore est en ses parlements tenuz a Everwyk & Westm' & auxint a nostre seignur le Roi qore est en cest present parliament grante plainte ad este faite de ceo que en plusieurs citees burghs portz de meer & autres lieux deinz le roialme dEngleterre grauntes damages & outrageoules dureces estoient & unqore sont faitz au Roi & a tout son roialme par les citeins burgeys & autres gentz des citees burghs & dautres villes & lieux dessusdites qi navoient soeffert ne unqore soeffrent marchantz estranges nautres qi amefnent carient ou portent par meer & par terre vynes avoir de pois vivres vitailles & autres choses vendables necessairs & profitables sibien pur le Roi les prelatz & seignurs come pur tout la commune de la terre vendre ou bailler les ditz vynes vivres vitailles ne les autres choses vendables as autres que a eux mesmes des citees burghs portz de meer & les autres lieux as queux yceux vines vitailles ou autres choses vendables furent & sont amefnez cariez ou portez & par tant si eient este & unqore sont mesmes les choses mises & venduz au Roi as seignurs & a son dit poeple

FIRST, because that before ^{9 Ed. 3. stat. 1} this time in time of the noble King EDWARD, grandfather to our lord the King that now is, ^{C. 1.} in his parliaments holden at York and Westminster, and also in this present parliament, great complaint hath been made to our said lord, for that in many cities, boroughs, ports of the sea, and other places within the realm of England, great damages and outrageous grievances have been, and yet be done to the King, and to all his realm, by the citizens, burgeses, and other people of cities, boroughs, and other towns and places aforesaid, which have not suffered, nor yet will suffer, merchants strangers, nor other that do bring, carry, or convey by sea or by land wines, Avoir de pois, sustenance, victuals, or other things vendible, profitable, and necessary, as well for the King, the prelates, and lords, as for all the communalty of his land, to sell or deliver the said wines, sustenance, victuals, nor other things vendible, to any other than to them of the same cities, boroughs, ports of the sea, and other places, to which such wines, sustenance, victuals, or other things vendible were and be brought, carried, and conveyed; ^{25 Ed. 3. stat. 4} (2) and by so much those things ^{C. 2.} have been, and yet be sold and set to the King, to his lords, and to all his people, by the hands

The inconveniences ensuing by restraining mer-

chants from
selling of vic-
tuals where
they will.

*bands of the citizens, burge-
ses, and other people denizens, to
a great and excessive dearth, over
that they should have been, if the
merchants strangers, and other
which bring such things into the
realm, might freely have sold them
to whom they would; (3) nor
also would not, nor yet will suf-
fer the merchants strangers that
do come, or would come within the
realm, to buy wools and other
merchandises growing within the
realm, to go, travel, and merchan-
dise, or abide freely as they were
wont to do, to the great damage of
the King, of the prelates, of the
lords, and of all the realm, and
against the common profit, and
against the statutes and ordinan-
ces thereof made in times past in
the said two parliaments: (4) our
lord the King considering clear-
ly the coming of merchants
strangers within the realm to
be very profitable for many
causes to all the realm, by the
assent of the prelates, dukes,
earls, barons, and of the com-
mons of the realm, hath or-
dained and established, That all
merchants aliens, of what
realms, countries, or seignories
that they come, which be of
the amity of the King, and of
his realm, may from henceforth
safely and surely come within
the realm of *England*, and in
all cities, boroughs, ports of
the sea, fairs, markets, or other
places within the realm, with-
in franchise and without, and
abide with their goods and all
merchandises under the safe-
guard and protection of the
King as long as shall please
them, without disturbance or
denying of any person. (5)
And that as well those mer-
chants aliens and denizens, and
every of them, that will buy
and*

people en & par les mains des
citeins burgeis & autres gentz
deinzeins a trop grant & excès-
sive chierce outre ce qils eussent
este si les marchantz estranges
& autres qe fount venir tiels
choses deins le roialme les pur-
roient franchement avoir ven-
duz a qi qils voussissent nauxint
ont volue foeffrer ne ungore fo-
effrent les marchantz estranges
queux vieignent & vorroient ven-
ir deinz le roialme pur acha-
ter des leyns & dautres mar-
chandises cressantz deinz me-
me le roialme aler converter
merchander ou demorer fran-
chement come ils soloient faire
a grant damage de Roi des pre-
laides des seignurs & de tout le
roialme & encontre commune
profit & encontre les estatutz &
ordinances en faitz avant ces
heures en les deux parlementz
avantdites nostre seignour le
Roi considerant clerement la
venue des marchantz estranges
deinz le roialme estre bien &
profitable par moelt des causes
a tout le roialme avantdit del
assent des prelatz ducs countes
barons & de la commune de
son roialme ad ordeigne &
establiz qe tous marchantz ali-
ens de queleconques roialmes
pais ou seignouries qils veig-
nent qi soient del amistee nostre
seignour le Roi & de son roial-
me puissent desore sauvement
& seurement venir deinz le
roialme dEngleterre & en qe-
conques citees burghs portz de
meer feires merches ou autres
lieux deinz mesme le roialme
deinz franchises & dehors de-
morer ovesque leur biens & mer-
chandises qeconques souz le sau-
ve garde & protection nostre
seignour le Roi tant si long-
ment come leur plerra sanz des-
turbance ou contredit de per-
sons

Merchants
strangers may
buy or sell all
Things vendi-
ble within the
realm.

Altered by 16
R. 2. c. 1.

nqe. Et qe sibien
 rchantz aliens come
 jeconques & chescun
 i achatre ou vendre
 ledz chare peffon &
 eres dautres vivres &
 t auxint totes mane-
 ceries de fruit de pel-
 s menues ou petites
 come soy file dore
 coverchiefs & autres
 as merceries les pu-
 ore franchement &
 edit ou destourbance
 ibien en la citee de
 come en touz les au-
 burghs portz de
 merchees & autres
 z le roialme vendre
 en groos & par par-
 z de qi qe lour plest
 deinzin horspris les
 stre seignour le Roi
 s qe toutes maneres
 ien douces come au-
 ont venduz par les
 gers en groos par les
 tiers sicome ils sont
 sinz le roialme & ne-
 ille par nully es dites
 ghs & autres bones
 inchisez sinon soule-
 s enheritantz & en-
 en ycelles. Et quant
 autres grosses merce-
 traps dore dargent de
 ndale de naperie de
 e canevice & dautres
 es merceries & aux-
 aneres dautres gros-
 ndises nient expresse
 qeconques qe celles
 uissent desore sibien
 e deinzins tant en
 e de Londres come
 citees burghs portz
 marchees & aillours
 ialme avantdit deinz
 & dehors a qeconque
 rein ou denizin qi
 vorra forspris les e-
 nemys

and sell corn, flesh, fish, and
 all manner other victuals and
 sustenance, and also all manner
 of spiceries, fruit, fur, and all
 manner of small wares, as silk,
 gold wire, or silver wire, cover-
 chiefs, and other such small
 ware, may from henceforth
 freely and without denying or
 any manner of disturbance, as
 well in the city of *London*, as in
 all cities, boroughs, ports of
 the sea, fairs, markets, and o-
 ther places within the realm,
 sell and buy in groos and by
 parcels, to whom and of whom
 they please, denizens or foreign,
 (6) except the King's enemies,
 and except that all manner of
 wines, as well sweet as other,
 shall be sold by the said stran-
 gers in groos, and by whole ves-
 sels, as they be brought into
 the realm, and not at retail by
 any in the said cities, boroughs,
 and other towns franchised,
 but only by the inhabitants and
 freemen in the same. (7) And
 as to all other great wares, as
 cloth of gold and silver, silk,
 sendal, napery, linen cloth, can-
 vas, and other such great wares,
 and also all manner of other
 great merchandises not above
 expresse, whatsoever they be,
 from henceforth as well aliens
 as denizens, as well in the city
 of *London*, as in other cities,
 boroughs, ports of the sea,
 towns, fairs, markets, and else-
 where through the said realm,
 within franchise and without,
 may sell the same in groos to
 every person foreign or deni-
 zen that will buy the same
 freely and without denying (ex-
 cept to the King's enemies and
 the realm's) as well by the
 bale, cloth, or by whole pieces
 at their pleasure, and not at
 retail, upon pain of forfeiture
 of

Aliens must
 sell their wine
 in groos, and
 not by retail
 altered by
 11 R. 2. c. 7.

What com-
 modities mer-
 chants aliens
 or denizens
 may sell in
 groos, and
 which by re-
 tail, and to
 whom.

of the same merchandises, but only the citizens and burghes in their own cities and boroughs, and other good towns franchised, to whom (and to none other strange merchant of their franchise) they may, (8) and it shall be lawful to them without impeachment, to unfold, undo, and cut in the same their proper cities, and boroughs, the great merchandises, and other great wares aforesaid, and as well the same, as wines and other merchandises whatsoever, there to sell in gross and by retail at their pleasure, paying all the customs and subsidies due, notwithstanding any statutes, ordinances, charters, judgements, allowances, customs, and usages made or suffered to the contrary; (9) which charters and franchises, if any there be, they shall be utterly repealed and adnulled, as a thing made, used, or granted against the common profit, or oppression of the people: (10) saving always to prelates and lords of the realm wholly their liberties and franchises, that they may make their purveyances and buyings of victuals, and of other their necessities, as they were wont to do in old time, (11) and saving that the ordinances made before this time of the staple of *Calais* be holden in their force and virtue. (12) And it is not the King's mind, that merchants strangers or denizens, that will buy and sell their wools, woolsels, wares, cloths, iron, and other merchandises, at fairs and markets in the country, should be restrained or disturbed by this statute to sell or buy freely in gross or at retail, as they were wont to do heretofore.

(13)

nemys du Roi & de son roialme franchementz & sanz contredit qeconque vendre en groos tant-soulement come par bale drap ou par la piece entier a leur pleiser & noun pas a retaille sur peine de forfaiture de ycelles merchandises forsque soulement les citeins & burgeis en leur propres citees & burghs & autres bones villes enfranchises as queux & a nul autre estraunge merchant de leur franchise bien life & purront ils sanz empeschement depescher tailler & trencher en yceux leurs propres citees & burghs les grosses merceries & autres grosses merchandises avantdites & sibien ycelles come vins & autres merchandises quelconques illoques vendre en groos & a retaille a leur pleisaunce paiaantz toutes voies les custumes & subsidies dues nient contresteaantz estatutz ordeignaunces chartres judgementz allowances custumes & usages faitz ou suffertz au contraire les queux chartres & franchises si nulles y soient sont oultrement repellez et adnullez come chose faite use ou grante encontre commune profit en oppression de poeple. Salvant toutdys as prelatz & seignours du roialme entierement leur libertees & franchises qils purront faire leur purvoiances & achatz des vitails & dautres leur necessaires come ils soleient faire dauncien temps & savant qe les ordinances faitz avant ces heures de le staple de Caley soient tenuz en leur force & vertu. Et nest my lention du Roi nostre seignour qe les merchantz estraunges ou deinzains qe vorront achatre ou vendre leyns peaux lanutz mercerie draps seer & autres merchandises es seires

The penalty of them which do disturb merchants to buy and sell wares at their pleasures, and of chief officers not punishing these disturbers.

& marcheés en pais y
 ar cest estatut restreintz
 ourbez de vendre & a-
 ranchement en gros ou
 come ils soleient faire
 entee. Et si ensy avieg-
 lefore desturbaunce soit
 nul merchant alien ou
 ou autre sur la vente
 es choses en citee burgh
 ort de meer ou autre lieu
 franchises encontre la
 de ceste ordinance &
 ir baillifs ou autres qe
 de de la dite franchise
 par les dites merchantz
 re en leur noun de ent
 medie & ils nel font mye
 ce soient atteintz soit la
 nise pris en la main le
 nientmeins soient ceux
 nt fait celle desturbaunce
 cest estatut tenuz de
 & restorer au pleintifses
 es qil avera soeffert par
 ncheson au double. Et
 desturbaunce soit fait as
 nerchauntz ou as autres
 es & lieux ou franchise
 y & le seignour sil soit
 ou son baillif constable
 re gardein des dites vil-
 leux en absence des seig-
 ent requiz de faire droit
 facent & de ceo soient
 z rendent les damages
 intif au double auxi co-
 tus est dit & les destour-
 en lun cas & en lautre
 en deinz franchises co-
 hors sils soient atteintz
 la prisone dun an & ent
 reintz a la volente le
 Et auxint est ordeigne
 liqe le chaunceller trefo-
 Justices assignez a tenir
 es le Roi es lieux ou ils
 nt enquerger des tiels
 rbaunces & grevaunces
 nt punissement selonc ce
 qe

(13) And if it so happen, that
 from henceforth disturbance be
 made to any merchant alien or
 denizen, or other, upon the
 sale of such things in city, bo-
 rough, town, port of the sea,
 or other place that hath fran-
 chise, against the form of this
 ordinance; and the mayor, bai-
 liffs, or other that have the
 keeping of such franchise, re-
 quired by the said merchants,
 or other in their name, thereof
 to make remedy, do not the
 same, and thereof be attainted,
 the franchise shall be seised into
 the King's hand; and neverthe-
 less, they that have done such
 disturbance against this statute,
 shall be bound to render and
 restore to the plaintiff his
 double damages that he hath
 suffered by this occasion. (14)
 And if such disturbance be
 made to such merchants or to
 other in towns and places where
 no franchise is, and the lord, if
 he be present, or his bailiff,
 constable, or other warden of
 the towns and places, in absence
 of the lords thereof, required
 to do right, and do not, and
 thereof be duly attainted, they
 shall yield to the plaintiff his
 double damages, as afore is
 said, and the disturbers in the
 one case and the other, as well
 within franchises as without, if
 they be attainted, shall have
 one year's imprisonment, and
 be ransomed at the King's will.
 (15) And it is ordained and
 established, That the chancel-
 lor, treasurer, and justices as-
 signed to hold pleas of the King
 in the places where they come,
 shall diligently inquire of such
 disturbances and grievances,
 and do punishment according
 as afore is ordained. (16) And
 nevertheless,

nevertheless, the King shall assign by commission certain people, where and when shall please him, to inquire of such disturbances and grievances, and to punish the offenders in this party, as before is said.

9 H. 3. stat. 1.
c. 30.

qe par desus est ordeigne. Et nientmiens qe le Roi face assigner par commission certains gentz ou & quant lui plerra denquerre de tielles destourbaunces & grevances & de faire punissement de trespassours en celle partie come dessus est dit.

CAP. II.

A confirmation of the statute of 25 EDW. III. stat. 4. cap. 3. against forestallers.

Exedit Rastal.
Forestallers,
altered by 5 &
6 Ed. 6. c. 14.
ITEM, it is ordained and established, That the statute made in the time of King EDWARD the grandfather, the xxv. year of his reign, of forestallers of wines victuals wares and merchandises, which come to the good towns within the realm by land or by water, shall be holden and firmly kept in all points and put in due execution for the common profit of the said realm.

CAP. III.

Merchants of the west may buy merchandises, so that they find sureties to carry them to the west, or to Calais.

Merchants
strangers.

Staple of Ca-
lais.

ITEM, it is ordained and assented, That all merchants of *Genoa, Venice, Catalonia, Arragon*, and other realms, lands and countries towards the west, being of the King's amity, that will bring to *Hampton* or elsewhere within the realm carracks, ships, gallies, or other vessels charged or discharged, may freely sell their merchandises to whom please them by the manner as afore is said, and there recharge their vessels of wools, leather, woolfells, tin and of other merchandises of the staple, and freely bring them into their country towards the west, paying at the ports where they charge them, all manner of customs and subsidies, and other devoirs of *Calais*, as much as they should pay if they should bring the same merchandises to the staple of *Calais*, so that they find sufficient surety, that they shall bring the same towards the west, and to no place elsewhere towards the east, but to the staple of *Calais*, if percase they will go, upon pain of the forfeiture ordained before this time.

CAP. IV.

The penalty of mariners retained to serve the King on the sea, which do depart without licence.

Altered 18 H.
6. c. 19. and
5 El. c. 5.
Mr. Justice
Foster's rep.
189, 170.

ITEM, because that divers mariners, after that they be arrested and retained for the King's service upon the sea, in defence of the realm, and thereof have received their wages pertaining, do flee out of the said service without licence of the admirals, or of their lieutenants,

ITEM, pur ceo qe plusours mariners apres ce qils sont arestuz & retenuz pur service du Roi sur la meer en defence de roialme & ent ont receuz leurs gages appartenantz senfuent hors du dit service sanz conge des admirals ou de leur lieutenants

tantz a grant damage du
ostre seigneur & du roial-
arrierissement de ses vi-
avaunt ditz ordene est &
que touz ceux mariners
de fore seront en tielle
e & cela trovez & pro-
ritablement devant le ad-
ou son lieutenant soient
de restorer a nostre seig-
Roi le double de ce qils
at pris pur leur gages ni-
ins eient la prison d'un
z ent estre deliverez par
rise baille ou par autre
Et le Roi voet & coman-
ouz viscontz mairs & bai-
inz franchises & dehors
la certification des ditz
alx ou leur lieutenantz
urs lettres ent affaires tes-
iantes la dite provee fa-
antost sanz attendre autre-
ement de Roi nostre seig-
endre & attacher touz ce-
riners futifs par leur corps
leur baillies deinz fran-
& dehors & les mettre
ifone illoques a demurer
n & seure garde tanqe ils
at fait gree au Roi come
est dit & ent eient special
ement de Roi nostre seig-
leur deliverance. Et au-
nissement soit fait des ser-
z darmes maistres des ni-
touz autres qe seront at-
par enquerre devant lad-
ou son lieutenant avant-
ls eient rienz pris des ditz
ers pur leur soefrer aler
r large hors del service a-
it apres ceo qils eient este
z pur mesme le service.

*lieutenants, to the great damage of
the King and his realm, and hin-
derance of the said voyages: it is
ordained and stablished, That
all those mariners, which from
henceforth shall do in such man-
ner, and that truly found and
proved before the admiral, or
his lieutenant, shall be holden
to restore to our said sovereign
lord the King, the double of
that they have taken for their
wages; and nevertheless shall
have one year's imprisonment,
without being delivered by
mainprize, bail, or by other
way. And the king will and
commandeth to all sheriffs,
mayors, and bailiffs, within
franchises and without, That
at the certification of the said
admirals, or their lieutenants, by
their letters thereof to be made,
testifying the said proof, shall
incontinent, without waiting
any other commandment of
the King our sovereign lord, to
take and attach all fugitive ma-
riners by their body, within
their bailiwicks, within franchi-
ses and without, and put them
in prison, there to abide in
good and sure keeping, till they
have made gree to the King as
afore is said, and thereof have
a special commandment of our
sovereign lord the King of their
deliverance. And like punish-
ments shall be made of serjeants
of arms, masters of ships, and
all other, that shall be attained,
by enquiry before the admiral,
or his lieutenant aforesaid, that
they have any thing taken of
the said mariners, for to suffer*

to go at large out of the said service, after that they
been arrested for the same service.

CAP. V.

The penalty for telling slanderous lyes of the great men of the realm.

12 Co. 134.
2 Inst. 227.
Vaughan, 139.
Palmer, 565.

ITEM, of devisors of false news and of horrible and false lyes, of prelates, dukes, earls, barons, and other nobles and great men of the realm, (2) and also of the chancellor, treasurer, clerk of the privy seal, steward of the King's house, justices of the one bench or of the other, and of other great officers of the realm, of things which by the said prelates, lords, nobles, and officers aforesaid, were never spoken, done, nor thought, (3) in great slander of the said prelates, lords, nobles, and officers, whereby debates and discords might arise betwixt the said lords, or between the lords and the commons (which God forbid) and whereof great peril and mischief might come to all the realm, and quick subversion and destruction of the said realm, if due remedy be not provided: (4) it is straitly defended upon grievous pain, for to eschew the said damages and perils, that from henceforth none be so hardy to devise, speak, or to tell any false news, lyes, or other such false things, of prelates, lords, and of other aforesaid, whereof discord or any slander might rise within the same realm; (5) and he that doth the same shall incur and have the pain another time ordained thereof by the statute of Westminster the first, which will, that he be taken and imprisoned till he have found him of whom the word was moved.

2 Mod. 98, 161.
The penalty for telling of slanderous news of the peers or other great officers of the realm.

3 Bulst. 235.
1 Leon. 287.
Dyer, 155.
4 Co. 12.
Kel. 16.
Cro. El. 1.
Cro. Car. 135.
W. Jones, 194.
Rast. 393.

3 Ed. 1. c. 14.
12 R. 2. c. 11.
1 & 2 Ph. M. c. 3.
1 El. c. 6.

ITEM de controours de faux novels & countours des horribles et fauxes men-songes des prelatz ducs countes barons & autres nobles & grantz de roialme & auxint del chaunceller tresorer clerk de prive seal seneschal del hostel nostre seignur le Roi justices del un bank & del autre & dautres grantz officers du roialme des choses qe par les ditz prelatz seignurs & officers ne furent unques parlez touchez ou penes en grant esclandre des prelatz seignurs nobles & officers avantdits par ont debats & descordes purroient soudre parentre les ditz seignurs ou parentre les seignurs & communes qe Dieu ne veulle & dont grant peril & meschief purroit avenir a tout le roialme & legerement subversion & destruction del roialme avantdit si due remede ny fuisse mys est defendus estroitement & sur grief peine pur eschuser les damages & perils avantdits qe desore nul soit si hardi de controver dire ou counter ascune faux nouvelle mensonge ou autre tiel fauxe chose des prelatz seignurs & les autres desusdits dont descord ou esclandre aucune puisse soudre deins mesme le roialme et qi le fra eit & encourge la paine autrefois ent ordenes par estatut de Westm' primer qe voet qil soit pris & emprisonnes jeques a tant qil eit troves celuy dont la parole serra moevch.

CAP. VI.

Commissions shall be awarded to arrest rioters, and other persons offensive to the peace, and to imprison them.

ITEM, because that our sovereign lord the King hath perceived, as well by many complaints made to him, as by the perfect knowledge of the thing, that as well divers of his liege people in sundry parts of the realm, as also the people of *Wales*, in the county of *Heresford*, and the people of the county of *Chester*, with the counties joining to *Chestershire*, some of them claiming to have right to divers lands, tenements, and other possessions, and some espying women and damsels unmarried, and some desiring to make maintenance in their marches do gather them together to a great number of men of arms and archers, to the manner of war, and confederate themselves by oath and other confederacy, not having consideration to God, nor to the laws of holy church, nor of the land, nor to right, nor justice, but refusing and setting apart all process of the law, do ride in great routs in divers parts of *England*, and take possession, and set them in divers manors, lands, and other possessions of their own authority, and hold the same long with such force, doing many manner apparelments of war, and in some places do ravish women and damsels, and bring them into strange countries, where please them, and in some places lying in await with such routs do beat and maim, murder and slay the people, for to have their wives and their goods and the same women and goods retain to their own use, and sometime take the King's liege people in their houses, and bring and hold them as prisoners, and at the last put them to fine and ransom, as it were in a land of war, and some time come before the justices in their sessions in such guise with great force, whereby the justices be afraid and not hardy to do the law, and do many other riots and horrible offences, whereby the realm in divers parts, is put in great trouble, to the great mischief and grievance of the people, and the hurt of the King's majesty, and against the King's crown: our sovereign lord the King, desiring sovereignly the peace and quietness of his realm, and his good laws and customs of the same and the rights of his crown to be maintained and kept in all points, and the offenders duly to be chastised and punished (as he is sworn at his coronation) by the assent of all the lords and peers being in this parliament, hath defended upon the peril that belongeth, that none be so hardy from henceforth to do any thing that shall be in affray of the people against the peace. And moreover it is ordained and established, that the statute of *Northampton*, made in such case in the time of the said grandfather, be holden and kept in all points. And also it is assented, That certain sufficient and valiant persons, lords or other, shall be assigned by the King's commission in every county through the realm, whereas shall need, which shall have power by their commission, that as soon as they know, or that they be credibly certified.

Ex. edit. Rast.

Peace.
Statute of
Northampton.

Assemblies.
Routs.

certified of any assemblies, routs or ridings of offenders, barators, and other such rioters in their marches, in affray of the people, and against the peace, to arrest them incontinent without tarrying for indictments or other process of the law, by their body, and to bring their captains and heads, and send them to the next gaol, with the cause of their arrest clearly and distinctly put in writing, there to abide in prison in sure keeping, till the coming of the justices into the country, without being delivered in the mean time by mainprise, bail, or in other manner. And all the lords being in the parliament be charged by the King, and they have of their good gree and free will lawfully promised to be in aid, to their power, to the said commissioners, if need be, and be required to keep and do to be kept by them and theirs this ordinance in as much as toucheth them, and without having regard to any person for amity, alliance, or otherwise. And our sovereign lord the King will and commandeth to all his justices, having power at their making deliverance, that ready justice and punishment be done upon all persons, that shall be attainted of such riots and offences, to every man according as the case requireth, and in such manner that the same punishment be an example to other.

Rep. 2 R. 1.
stat. 2. c. 2.
27 R. 2. c. 3.

CAP. VII.

Urban was duly chosen pope, and so ought to be accepted and obeyed.

ITEM pur ceo qe nostre seignur le Roi ad entenduz sibien par certains lettres patentes nouvellement venuz de certains cardinalx rebeulx countre nostre seint pier Urban a ore pape come autrement par commune fame qe division & discord estoit parentre nostre dit seint pier & les ditz cardinalx les queux safforcent a tout lour poair a deposer nostre dit seint pier de lestat de pape & de exciter & commover par leurs meins vraies suggestions les rois princes & le poeple cristien encontre luy a grant peril de leurs almes & a tresmal example nostre dit seignur le Roi fist monstrier les dites lettres as prelatz seignurs & autres grantz & sages de son roialme esteantz au dit parlement & veues & entenduz les lettres avantdites & eu meure deliberation sur la matiere estoit par les ditz prelatz pronunciez & publiez par plusours grandes & notables resons illoeques monstrez en plein parlement sibien par matire trove es dites lettres come autrement qe le dit Urban estoit duement esluz en pape & qe enfy est il & doit estre verrai pape & li come pape & chief de seinte esglise len doit accepter & obeir & a ceo faire sacorderent touz les prelatz seignurs & communes en le parlement avantditz. Et en oultre est assentuz qe touz les benefices & autres possessions qe les ditz cardinalx rebellantz & touz autres leurs coadjuteurs fauteurs adherents ou aucuns autres enemys de nostre dit seignur le Roi & de son roialme ont deins le poair nostre dit seignur le Roi soient seises es mains de mesme nostre seignur le Roi & qe nostre seignur le Roi soit respondus des fruits & profits de mesmes les benefices & possessions tant come ils demorront en ses mains par la cause avantdite. Et auxint est ordenez qe si aucun lige du Roi

autre deins son poair purchase provision benefice ou au-
 : daucun par autre noun de pape qe del dit nostre seint
 an ou soit obeissant a aucun autre persone come a pape
 hors de la proteccion nostre seignur le Roi & ses biens
 ix seises come forfaites.

C A P. VIII.

*ute of the 23 Edw. 3. and all other statutes of la-
 bourers, &c. confirmed.*

I, of labourers it is ordained and established, That the
 iance thereof made in the time of the said grandfather,
 ginneth, *Because a great part of the people*, be affirmed and
 or a statute. And that as well this statute as all other
 and ordinances made of artificers, servants and labour-
 e this time, be firmly kept and put in due execution. Rep. 5 Eliz.
 before we command, &c. &c. c.4.

*niles literæ diriguntur singulis vicecomitibus per Angliam sub
 m data.*

statutes made at *Westminster*, Anno 2 RICH.

II. stat. 2. and *Anno Dom.* 1379.

honour de Dieu & de
 nte eglise & pur com-
 osit du roialme dEngle-
 ostre seignur le Roi
 p a son parlement te-
 'estm' en la quinzaine
 e lan de son regne se-
 l assent des prelates ducs
 arons & dautres grants
 unes de son dit roial-
 gleterre au dit parle-
 monnes ad ordenes & es-
 meisme le parlement
 ete de son poeple les
 & establissemens qe
 perpetuelment adu-
 on roialme avantdit.

TO the honour of God and
 of holy church, and for
 the common profit of the realm
 of England, our lord the king
 RICHARD, at his parliament
 holden at Westminster in the
 fifteenth of Easter, the second year
 of his reign, of the assent of the
 prelates, dukes, earls, barons, and
 other great men, and of the com-
 mons of this realm summoned to
 the said parliament, hath ordain-
 ed and established in the same par-
 liament, for the quietness of his
 said people, the statutes and ordi-
 nances following, perpetually to
 endure in his said realm.

C A P. I.

A confirmation of the liberties of the church.

ement qe seinte esgli-
 it & enjoise les franchi-
 ertes en tous points si
 come ele le avoit en
 le ses nobles progeni-
 ois dEngleterre & qe la
 hartre & la Chartre de la
 & les bones loys de la
 ent fermement tenuz &
 II, gardes

FIRST, That holy church
 have and enjoy her fran-
 chises and liberties in all points
 in as ample manner as she
 them had in the time of his
 noble progenitors Kings of
 England; (2) and that the
 Great Charter, and the Charter
 of the Forest, and the good
 laws

A confirmati-
 on of the li-
 berties of the
 church and
 the laws of the
 realm.

laws of the land, be firmly gardes & mises en due execution holden and kept, and put in due execution.

CAP. II.

A repeal of the statute of 2 RICH. 2. stat. 1. cap. 6. touching riots.

Ex edit Ralt.
Assemblies.
Routs.

ITEM, it is assented, That the article comprised in the statute last made at Gloucester of assemblies, ridings, and routs of offenders in the country, which beginneth: *Item, because that our sovereign lord the King, &c.* which article seemeth to the said commons very grievous, at the prayer of the said commons be utterly repealed and adnulled, the statute of Northampton being always in his force. And it is assented, That they which be taken and imprisoned by virtue of any words comprised in the said article, without other indictment shall be utterly delivered.

CAP. III.

Fraudulent deeds made by debtors to avoid their creditors, shall be void.

Fraudulent
deeds made by
debtors to a-
void their cre-
ditors, shall be
void,

ITEM, in case of debt, where the debtors make feigned gifts and feoffments of their goods and lands to their friends and other, and after withdraw themselves, and flee into places of holy church privileged, and there hold them a long time, and take the profit of their said lands and goods so given by fraud and collusion, whereby their creditors have been long and yet be delayed of their debts and recovery, wrongfully and against good faith and reason: it is ordained and established, That after that the said creditors have thereof brought their writs of debt, and thereupon a *Capias* awarded, and the sheriff shall make his return, that he hath not taken the said persons because of such places privileged, in which they be or shall be entered, then after such return made, another writ shall be granted and made to the sheriff, in which writ shall be comprised, that proclamation be made openly at the gate of the place so privileged, where such persons be entered, by five weeks continually, every week once, that the same person be at a certain day, comprised in the same writ, before the King's justices, there to answer to the plaintiff of his demand: and upon this writ returned by the said sheriff, that proclamation is made in the said form, if the said persons called, come not in proper person nor by attorney, judgement shall be given against them upon the principal for their default. And out of the same judgement execution shall be made of their goods and lands, being out of the place privileged, as well that is to say, of those lands and goods so given by collusion, as of any other out of the same franchise, after that such collusion or fraud be duly found in the same manner as that ought to have been, if no devise had been thereof made, notwithstanding the same devise. *But it is not the King's mind, that by virtue of this statute any man be barred of his suit against such debtors by the common course of the law, before this present statute used.*

50 Ed. 3. c. 6.
3 H. 7. c. 4.
13 Eliz. c. 5.

Dy. 295.
21 Jac. 1. c. 28.

Statutes

Statutes made at *Westminster*, Anno 3 RICH. II.
and *Anno Dom.* 1379.

LE Roi as viscontes de Londres saluts. Saches qe a nostre darrein parlement tenus a Westm' del assent des seignurs & autres en dit parlement avons fait faire certains estatuts & ordenances en la fourme qe sensuit.

AT the parliament holden at Westminster the Monday next after the feast of Saint Hilary, the third year of King RICHARD the second, of the assent of the loras and other in the said parliament, our said lord hath caused to be made certain statutes and ordinances in the form following.

CAP. I.

A confirmation of the laws of the church, and of the laws and statutes of the realm.

PRimerement ordeignes est & establis qe seinte eglise eit & enjoise entierment ses franchises & libertees par manere qe les eit eus & enjoies en temps des nobles progenitours nostre seigneur le Roi defusdit & qe les bones leys & custumes du roialme & les estatuts faits devant ceste heure & nient repelles soient tenus & fermement gardes & myses en due execution.

FIRST it is ordained and established, That holy church have and wholly enjoy her franchises and liberties, by the manner as she hath had and enjoyed them in the time of the King's noble progenitors; (2) and that the good laws and customs of the realm, and the statutes made before this time, and not repealed, be holden and firmly kept and put in due execution.

A confirmation of the liberties of the church, and of the laws of the realm.

CAP. II.

The penalty of the aulneger that setteth his seal to faulty cloths.

ITEM, because that the commons do greatly complain them to be grieved, in that that whereas in the time of the King's noble grandfather, it was ordained for the common profit of the realm, that all the woolen cloths from thenceforth to be made in *England* which should be set to sale should contain a certain measure in length and breadth, upon a certain pain comprised in the said statute, nevertheless divers people through the realm, not having regard to the said statute, make now divers woolen cloths vendible, which do not contain the measure nor the assise ordained by the same statute, and which worse is, cause subtilly to be tacked and set together with thread divers pieces of such cloths, and after by covin betwixt them and the King's aulnegers, to hide and colour the falsity, do procure the said aulneger to put the seal ordained upon the same cloths, to the intent that the buyers might believe, that such cloths so sealed be sufficient cloths, and whole, containing the same assise, for otherwise they had not been sealed, as they say, in great de-

ceit of the people, and mischief to the said buyers, as we nizens as strangers: it is accorded and assented, That the st made of the said cloths before this time, and not repeale kept and duly put in execution. And moreover it is asse That if any the said aulnegers or of the collectors of the su of the said cloths, do from henceforth set his seal to any cloth so sewed in deceit, the same cloth shall be forfeit King, in whose hands soever it be found, and also the aul or collector thereof found guilty, shall forfeit his office. if he have put the same seal to any other cloth vendible, t not of the said assise, the same aulneger or collector shall f to the King the value of the same cloth so sealed in deceit people, together with his said office. And nevertheless, fi said falsity he shall have one year's imprisonment, and th ransomed at the King's will. And this statute shall beg hold place at the nativity of Saint *John Baptist* next coming not before.

The penalty of the aulneger that setteth his seal to cloth tacked together faulty or lacking assise.
2 Ed. 3. c. 14.
27 Ed. 3. stat. 2. c. 1.
31 H. 4. c. 6.
38 W. 3. c. 20.

CAP. III.

None shall take any benefice of an alien, or convey money to

4 Inst. 51.
Enforced by
9 R. 2. c. 18.

ITEM, because that our lord the King hath perceived, as well by the complaints of his faithful liege people, and by their clamour by divers petitions thereof delivered in divers parliaments before this time, as otherwise by the perfect knowledge and experience of the deed, how the churches cathedral and collegial, abbeyes and priories and other benefices of his realm, which were late founden, and richly endowed by his noble progenitors, in which divers dignities, offices, parsonages, chanonries, prebends, and other benefices, were solemnly and devoutly ordained and established of the assent of the foresaid progenitors of the King, and of other their noble founders, which did give to the said pastors of the same churches, abbeyes, priories, and of other great places, the advowsons of the same benefices, to the intent that the same benefices should be given to honest and meet persons of the realm, to serve and honour God diligently, and also to keep hospitality, and to inform and teach the people, and to do other worthy things

ITEM pur ce que le Roi seigneur ad entend bien par les plaintes de se alx liges & par le clamor son poeple par leurs divers petitions ent baillez av diverses parlemantz devant te heure come autrement la notoritee de la chose l perience de fait comment l glises cathedralx collegial beies priories & autres benefices de son roialme qe furent founduz & richement ez par les nobles progenies en les quelles diverses dign offices parsonies chanonies bendes & autres benefices toient solempnement & dement ordeinez & establi assent des ditz progenitors Roi & dautres leurs fondours qi donerent as tours de mesmes les esglise beies priories & dautres lieux avantditz ladvoues mesmes les benefices al en qe mesmes les benefices ent donez as persones hon & convenables du dit roi pur Dieu servir & honorer

The causes why advowsons of benefices were given to spiritual persons.

igealment & auxint pur
alitee tenir & pur enfor-
& enseigner le poeple &
les autres nobles choses
rtenantz a la cure des al-
clonc lestat & qualitee des
benefices & ensi estoit fait
ut temps passe puis la fun-
n dycelle tanq̃ a un poie
mps passe qe parmy les
mations instigations &
ement dascuns des ligēs
e dit seignur le Roi mes-
les benefices aient este do-
encontre la volente des
dours as plusours diverses
mes dautri lange & estrati-
terres & nations & a la
as vrais enemys du Roi &
on Roialme les queux ne
ent unqes residence en y-
s ne ne scievent ne poient
eullient nullement porter
aire les charges des ditz
fices come en oier les com-
uns prescher nē enseigner
oeple hospitalitee tenir ne
mplir les autres choses ne-
ires au gouvernement de
nes les benefices mais sou-
nt ent querent & preig-
les emolumentz & tem-
les profitz nient ciantz re-
a la cure espiritale ne as
es charges de mesmes les
fices appartenantz ou in-
bentz einz soeffrent notoie-
ent les nobles edifices aun-
ement fait illoeqes quant
mes les benefices estoient
piez par les Engleis de
cheier a ruyne par ont le
n service est tresgrantement
inue la cure des almes ne-
ce & leste & le clerge ense-
le tresor du dit roialme
ortez as mains des aliens
out lestate de seint eglise
inez a meindre reverence qe
ant ne soleit estre & coment
a temps le dit aiel certains
ordi-

things pertaining to the cure of
souls, after the estate and quality
of the said benefices: (2) And so
was it done in all times past af-
ter the foundation of the same,
till now of late, that by the in-
formations, instigations, and pro-
curements of some of the King's
liege people, the same benefices have
been given, against the will of the
founders, to divers people of ano-
ther language, and of strange
lands and nations, and sometimes
to the utter enemies of the King
and of his realm, which never made
residence in the same, nor cannot,
may not, nor will not in such wise
bear and perform the charges of
the same benefices, as in bearing
confessions, preaching, nor teach-
ing the people, keeping hospitality,
nor accomplishing the other things
necessary to the governance of the
same benefices, but only thereof
have and take the emoluments and
temporal profits, not having regard
to the spiritual cure, nor to other
charges to the same benefices per-
taining or belonging, but mani-
festly suffer the noble buildings in
old times there made, when the
same benefices were occupied by
Englishmen, wholly to fall to de-
cay, whereby the divine service is
greatly diminished, the cure of souls
neglected and left, the clergy en-
feebled, the treasure of the said
realm carried to the hands of aliens,
and all the estate of holy church
brought to less reverence than be-
fore it was wont to be: (3) and
though that in the time of the said
grandfather certain ordinances,
statutes, and compositions were
made and affirmed, wholly to put
out, or at least to restrain the said
mischief in this behalf; never-
theless the said aliens, not having
regard to the same, do not refrain
to take and receive such benefices
within the said realm, but by the

The inconve-
niencies which
have ensued by
giving of be-
nefices to
aliens.

15 Ed. 3. stat. 6.

comfort, aid, and great succour which they have had of the King's liege people, that be their fermors, procurators, and attornies in this behalf and in every part of the said realm, do enforce themselves from day to day more and more to accept the greatest dignities and benefices within the said realm, and by divers cautelous manners, much prejudicial to the same realm if that were suffered, whereby the said mischiefs do daily increase, and much more will increase, if due remedy be not the sooner provided.

None shall take in ferm any benefices of the church of an alien without the King's licence.

II. Our lord the King, by the advice and common assent of all the lords temporal being in this parliament, hath ordained and established, That none of the King's liege people, nor other person, of whatsoever estate or condition that he be, shall not take nor receive within the same realm of *England*, procuracy, letter of attorney, nor ferm, nor other administration by indenture, nor in any other manner whatsoever, of any person of the world, of any benefice within the said realm, but only of the King's liege people of the same realm, without the special grace and express licence of our lord the King, by the advice of his council. (2) And if any before this time have accepted of any aliens such procuracies, fermes, or administration, that they shall utterly leave them within forty days after publication of this ordinance. (3) And that none of the said liege people, nor other that may be found in the said realm, shall convey by virtue of such procuracy, ferm, or administration, gold, silver, nor

None shall convey money out of the realm for such term.

ordinances estatutz & compositions y fussent faitz & affermez pur ouster de tout ou a meins pur restreindre les ditz meschiefs en partie nientmeins les ditz aliens nient eiantz regard a cella ne se abstiegnent mye de prendre & recevoir tieux benefices deinz le dit roialme einz par my le confort eide & grant socour qils ont des liges nostre dit seigneur le Roi qz sont lour fermers procurateurs & attornes en ycelle partie en chescun partie del dit roialme safforcent de jour en autre plus & puis de accepter & avoir les greindres dignites & benefices deinz le roialme avantdite & par diverse manere molt prejudiciele a mesme le roialme si ceo fuisit soefferte paront les ditz meschiefs encrefcent de jour en autre molt outrageusement & puis encrefceront si due remede ne soit purveuz les plus en haste.

Nostre seigneur le Roi par ladvis & commune assent de touz les seignurs temporels esteantz en ce parlement ad ordeinez & establiz qe nul homme des liges le Roi nautre persone quelconque de quel estat ou condition qil soit ne preigne ne receive deinz le roialme d'Engleterre procuracie lettre dattourne ne ferme nautre administration par endenture ne en autre manere quelconque de nul persone du monde dascun benefice deinz le dit roialme forq tantfolement des liges de nostre seigneur le Roi de mesme le roialme sanz especial & expresse congie de nostre dit seigneur le Roi par ladvis de son conseil. Et si aucuns devant cest heure eient acceptez dascuns aliens tieux procuracies fermes ou administration qils

issent oultrement deinz xl. apres la publication de ordinance. Et qe nul des iges nautre qe purra estre z en dit roialme nenvoie ertue de tiele procuracie : ou admistration ore arnautre trefor ne commo- ners du dit roialme par : deschange par merchan- nautre manere quelcon- profit des ditz aliens sanz able congie du Roi par : de son dit conseil. Et si face le contraire en asoint contenuz en cest or- ce encourage la peine & ement contenuz en lesta- s provisours fait en temps aiel lan de son regne as par mesme le proces ris en dit estatut & par lement affaire a eux en benefices ou autres lours ions deinz le roialme et ient pardehors le dit roi- & naient benefices ne lions deinz mesme le roi- ou ils purront estre gar- longes soit brief fait en ncellerie fondez sur ceste ance as viscontz de Lon- ou al viscont del contee el ils furont ou serront a la suite le Roi retourn- n lun bank ou en lautre quel brief soit comande mation estre fait overte- qils soient devant les ju- en le bank ou le brief est nable a certain jour com- i mesme le brief contenant e de demy an pur respon- r les matires compris en brief & cel brief retour- elors procedent les justi- vers eux selonc la fourme ordeine. Et est defen- epar le Roi en dit parle- del assent avantdit qe nul : nautre persone de seinte cglise

other treasure nor commodify out of the said realm, by letter of exchange, by merchandise, nor in other manner, to the profit of the said aliens, with- out like licence of the King by the advice of his said council ; (4) and if any do the contrary in any point contained in this ordinance, he shall incur the pain and punishment contain- ed in the statute of provisors, Stat. 27 Ed. 3^d made in the time of the King's de provisoribus. grandfather, the seven and twentieth year of his reign, by the same process comprised in the said statute, (5) and by warning to be made to them in their benefices, or other their possessions within the realm, (6) and if they be out of the said realm, and not beneficed, not having possession within the same realm where they may be warned, then a writ shall be made in the chancery ground- ed upon this ordinance to the sheriff of *London*, or to the sher- riff of the county in which they were or shall be born, at the King's suit, returnable in the one bench or the other ; by which writ it shall be com- manded, that proclamation be made openly, that they appear before the justices in the bench where the writ is returnable at a certain day comprised in the same writ, containing the space of half a year, to answer upon the matters comprised in the said writ ; (7) and after this writ returned, the justices shall proceed against them according to the form above ordained. (8) And it is assented by the King in the same parliament, by the assent aforesaid, That no bishop, nor other person of holy church through the realm, shall meddle by way of seque-

Process awarded against offenders that are out of the realm.

None shall meddle by sequestration, nor in other manner, with a benefice given to an alien.

2 H. 5. c. 7.

stration, nor in any other manner, with the fruits of such benefices given or to be given to the said aliens, to the profit of the same aliens, upon the peril that belongeth. Dated, &c.

It is said in the Old Abridgement, that the lords spiritual did not assent to this statute.

fermement tenir & garder selonc la fourme dicelles. Don' par tesmoignance de nostre grant seal a Westm' le xii. jour de Marz lan de nostre regne tierce.

esglise par my le roialme ne se medle par voie de sequestration nen autre manere quelconque des frutz de tieux benefices donnez ou adoners as ditz aliens au profit de mesmes les aliens sur le peril qappent. Et par ce vous mandons qe les ditz estatutz facez duement proclamer & publier es lieux notables deinz vestre baillie & les

Statutes made at Northampton, Anno 4 RICH. II.
and Anno Dom. 1380.

C A P. I.

All vessels of wine, honey, and oil brought into this realm shall be gauged.

RICHARD by the grace of God, &c. to the sheriff of Nottingham, greeting. *The commons of our realm of England have prayed us by their petition delivered to us at our present parliament holden at Northampton, containing how many wines of divers manners oftentimes brought within the land, which do often pass without gauging, because that the statutes thereupon made in the time of our grandfather (whom God assoil) do not make express mention of all manner of wines, and of other liquors, to the great damage of the lords and commons of the same realm, which be oftentimes deceived in their buying, because they cannot without gauge have rightful knowledge how much the same vessel will contain, That it may please us, for the profit of us and our realm more plainly to declare the same statutes, in such manner, that all manner of wines, and other liquors gaugeable brought within this realm, may be com-*
6 *prised*

LE Roi a viscont de Kent salut. Suppliez nous est par la communalte de nostre roialme dEngleterre par leur petition a nous baillie a nostre present parlement tenu a Northampton contenant comment plusieurs vins de diverses maneres sont souvent amesnez deinz la terre queux passent souvent sanz gauge par cause qe les estatutz sur ce faitz en temps de nostre aiell qi Dieux assoille ne font mie expresse mention de touz maneres vins & des autres licours a grantz damages des seignurs & communes de meisme le roialme qi souvent sont deceuz en leur achatz a cause qils, ne poent sanz gauge avoir droite conifance combien les vesseulx contiegnent qe pleroit par profit de nous & de nostre roialme puis overtement declarer mesmes lestatutz en tiell manere qe touz maneres des vins & autres licours gaugeables amesnez deinz le
roi-

ne soient comprises en
es les estatutz nous en-
tantz la dite supplication
profitable pur nous les
irs & communes de mes-
roialme volons & gran-
de lassent des prelatz &
irs avaunt ditz qe lestatutz
faitz comme dit est soi-
nuz & gardez & myses
e execution. Et enoul-
clarons & de lassent a-
dit volons & grantons qe
toutz maneres vesselx des
douces Rýneys & dautres
quelconques come autres
lx de vinegre oille meel
toutz autres licours gauge-
qe desore vendront deinz
lmed dEngleterre ou deinz
terres dÍrlande & Gales
bien & loialment gaugies
ous gaugeours a ce assign-
ou leurs deputez. Et si
mette debatte ou de-
vance & ne voile soffrer
ns ou autres licours sus-
estre gaugiez encourage la
ordeigne par les ditz au-
statutz. Et en mesme la
re encourgent les ditz
ours la peine compris en
les les estatutz si defaut
lesore trovez en eux ou
leputez en celle partie.

prised in the same statutes: (2) we considering the said sup-
plication to be profitable for us,
the lords and commons of the
same realm, will and grant by
the assent of the prelates and
lords aforesaid, That the sta-
tutes thereupon made (as is
said), be holden, kept, and put
in due execution. (3) And All the vessels
moreover we declare, and of of wine, vine-
the assent aforesaid, will and gar, honey,
grant, That as well all manner and oil,
of vessels of sweet wines, of the brought into
Rhine, and of other wines, as the realm
other vessels of vinegar, oil, ho- shall be gaug-
ney, and all other liquors gauge- ed.
able, which from henceforth
shall come within this realm of
England, or within our lands
of Wales and Ireland, shall be
well and lawfully gauged by
our gaugers thereto assigned,
or their deputies. (4) And
if any set debate and disturb-
ance, and will not suffer the
wines or other liquors afores-
said to be gauged, he shall in-
cur the pain ordained by the
said other statutes. (5) And
in the same manner the gaug-
ers shall incur the pain com-
prised in the same statutes, if
default be from henceforth
found in them, or in their de-
puties in this behalf.

27 Ed. 3. c. 8.
18 H. 6. c. 17.
1 R. 3. c. 13.
28 H. 8. c. 14.

CAP. II.

King's pardon of escapes and felons, and clerks convict.

MA, considering the great aids which the clergy and the commons Ex edit. Regal.
the same realm have done to us of their free will in our great ne-
s before this time, and specially now in this present parliament,
lling for so much, and for the great charges which they have had
ffered by the wars and other manner to do them grace and relief
other part: have of our special grace at their prayer re-Pardon.
and pardoned to the clergy and commons, and to every
lar person of our said realm, as much as to us pertaineth,
l manner of escapes of felons made and fallen before the
of these presents, as well of clerks convict out of the ordi-
prisons, as of other prisoners and felons whatever, except
adjudged before this time.

Pre-

Provided always, That if any of the said escapes were made fraudulently by covin or of the assent of the keepers of the said prisoners, that the said escapes shall not be comprised within this our grace by any way. And that he that will enjoy this our grace and pardon, shall thereof pursue to have his charter in our chancery in due form. And therefore we command, &c. Dated at Northampton, the iiij. day of November, the iiij. year of our reign.

*Statutes made at Westminster, Anno 5 RICH. II.
stat. 1. and Anno. Dom. 1381.*

RICHARD by the grace, &c. to the sheriff of Nottingham, greeting. Know thou, That to the reverence of God and of holy church, and for to nourish peace, unity, and quietness of good accord, in all parts of our realm of England; and especially for the good governance of the same realm (which we do chiefly desire) of the assent of the prelates, lords, and commons assembled at our parliament holden at Westminster the morrow after All souls last past, we have caused to be made certain ordinances and establishments, as well for the amendment of the said governance, as for the common profit of the realm, in the form following.

RICHARD par le grace de Dieu Roi d'Engleterre & de France & seigneur d'Irlande a nostre viscont de Kent saluz. Sachez qe a la reverence de Dieux & de seinte esglise & pur nurrir paix unitee quiete & bone acord touz partz deinz nostre roialme d'Engleterre & par especial pur le bon gouvernement de mesme le roialme le quel nous desirons souverainement de l'assent des prelatz seignurs & communes assemblez a nostre parlement tenuz a Westm' le lendemain des almes darrein passez avons fait faire certaines ordenances & establishments sibien pur amedement de dit governaill come pur le commune profit du roialme en la forme qe sensuyt.

C A P. I.

A confirmation of the liberties of the church, and of all statutes made and not repealed.

A confirmation of the liberties of the church, and of the laws of the realm.

FIRST, it is assented and accorded, That holy church have and enjoy all her liberties and franchises wholly. (2) And that the Great Charter and the Charter of the Forest, and all other good statutes and ordinances made before this time, and not repealed, and especially the statutes of purveyors late made in the time of the noble King EDWARD our grand-

Primement est assentuz & accordez qe seinte esglise eit & enjoise toutes ses libertees & franchises entierement. Et qe la Grand Chartre & la Chartre de la Foreste & touz les autres bones estatutz & ordinances faitz avant ces heures & nient repellez & par especial lestatur des purveours nadgairs faitz en temps du noble Roi E. aiel nostre seigneur le

si qoreft qi Dieux affoill t tenuz gardez & mises en execution felonc la forme feët dicell.

CAP. II.

eshall transport gold or silver, nor depart out of the realm without licence.

EM pur le grevoufe mef-
hief qe le roialme soeffre
ngement ad fait de ce qe
argent sibien en monoie
ll plate & joialx come au-
ent par eschaunges faitz
iverfe manere est empor-
iors de mefme le roialme
qapeine ent nest ores en
t rienz remys quele chose si
longement fuffe soeffert
roillegierement en destruc-
dicell roialme qe Dieux ne
e est assentuz & accordez
Roi defende a toutes ma-
s des gentz marchantz
s & autres sibien esstraunges
e denzeins de quelconqe
ou condition qils soient
aine de quanqe ils purront
ire qe nully de eux sur la
paine en prive ne en ap-
envoie nameifne ou face
ier ou ameifner hors del
me avandit or ou argent
n en monoie bullion plate
l ne par eschaunges af-
s ne en autre manere quel-
je exceptes les gages de Ca-
& dautres fortresses du Roi
r dela & exceptes par espe-
es prelatz seignurs & autres
nefme le Roialme a les
ix coviendra aucunes foitz
ffairement faire paiementz
r dela qe de celles paie-
tz tantfolement purront ils
eschaunge en Engleterre
ions & fuffisantz marchantz
paier depar dela eue prime-
ent sur ce especiale congie &
ice de nostre seignur le Roi
n pur leschaungeours come
pur

ITEM, for the great mischief, ^{Ed. 3. stat. 2.}
which the realm suffereth, and ^{c. 1.}
long hath done, for that gold ^{2 H. 4. c. 5.}
and silver, as well in money, ves- ^{2 H. 6. c. 6.}
sel, plate, and jewels, as other- ^{19 H. 7. c. 5.}
wise by exchanges made in divers
manners, is carried out of the
realm, so that in effect there is
none thereof left, which thing if
it should longer be suffered, would
shortly be the destruction of the
same realm, which God prohibit;

(2) it is assented and accord-
ed, and the King enjoineth all
manner of people, merchants,
clerks, and other, as well
strangers as denizens, of what
estate or condition they be, up-
on pain of as much as they
may forfeit, that none of them,
upon the said pain, privily nor
openly send nor carry, nor
cause to be sent or carried out
of the said realm, any gold or
silver, in money, bullion, plate,
or vessel, neither by exchanges
to be made, nor in other man-
ner, but the wages of Calais,
and of other the King's for-
tresses beyond the sea, and es-
pecially excepted the prelates,
lords, and other of the same
realm, to whom sometimes it
behoveth necessarily to make
payments beyond the sea, that
of the same payments only they
make exchanges in England,
by good and sufficient mer-
chants to pay beyond the sea,
(3) and first special leave and
licence had of the King, as
well for the exchangers as for
the person which ought to make
the

No man shall
transport gold
or silver with-
out the King's
licence.

In what cases,
and for what
causes, gold or
silver may be
transported.

the payments, containing expressly the sum which shall be so exchanged. (4) And it is assented, That the merchants that so shall make exchanges, shall be diligently examined and sworn in their proper persons, as often as they shall have the said licence, that they shall not send beyond the sea any manner of gold nor silver under the colour of the same exchange. (5) And if after proclamation of this ordinance any person be from henceforth duly attainted, that he hath caused to be sent or carried beyond the sea any gold or silver against this restraint and ordinance, he shall forfeit to the King the same sum so carried or sent.

Dyer, 122, 126, 176, 296.

None shall depart without the King's licence.

Repealed by 4 Jac. 1. c. 1. s. 22. as to the Restraint of persons going beyond sea.

(6) and the King our lord of his royal majesty defendeth the passage utterly of all manner of people, as well clerks as other, in every port and other town and place upon the coast of the sea, upon pain of forfeiture of all their goods, except only the lords and other great men of the realm, and true and notable merchants, and the King's soldiers. (7) And every person, other than is before excepted, which after publication of this ordinance made, shall pass out of the said realm without the King's special licence (which licence the King willeth and commandeth that it be not from henceforth made, but only in one of the ports underwritten, that is to say, *London, Sandwich, Dover, Southampton, Plymouth, Dartmouth, Bristol, Yarmouth, St. Botolph, Kingston upon Hull, Newcastle upon Tyne*, and the other ports and passages towards *Ireland*, and the isles pertaining to the realm of *England*) shall forfeit to the King

pur la persone qi devra faire le paiement contiegnant la somme en expres qe serra issint eschaungez. Et est assentuz qe les marchantz qi ensi ferront les ditz eschaunges soient diligement examinez & jurez en leurs propres personnes a tantz des soitz come ils averont la dite licence qils nenvoieront depar dela aucune manere dor ne dargent souz colour de mesme leschaunge. Et si apres la proclamation de ceste ordinance aucune persone soit desore devant atteint qil avera fait envoier ou emportez depar dela or ou argent aucun encontre cestes defens & ordinance forface devers le Roi mesme la somme issint emportez ou envoiez. Et le Roi nostre seigneur de sa roiale majestee defende de la passage oultrement a toutes maneres des gentz si bien clerks come autres en chescun port & autre ville & lieu sur la couste del meer sur paine de forfaiture de toutz leurs biens horspris tantseulement a les seignurs & autres grantz personnes de roialme & verrois & notables marchantz & les soldours le Roi. Et quelconque persone autre qe dessus ne sont excepte apres la publication de ceste ordinance faite passe hors del dit roialme sans especial congie le Roi quelle licence le Roi voet & comande qe ne soit fait desore sinoun tantseulement en un des portz dessoutz escriptz cestassavoir *Londres Sandewich Dover Southampton Plymouth Dertemuth Bristuit Jernemuth Seint Botulph Kyngston sur Hull Noef Chastell sur Tyne* & les autres portz & passages vers *Irlande* & les isles appartenantz al roialme d'Engleterre forface devers le Roi

quance

e il ad en biens come
est dit & jademeins le
e ou mariner de la nief
tre vessel en quele il a-
mesnez depar dela au-
terfone forsqe ceux sou-
t qe pardeffus sont ex-
ans la dite licence dont
convict duement forface
le Roi le dit vessel. Et
ande le Roi as touz gar-
& sercheours de les portz
lages parmy Engleterre
ent desore diligeamment
offices & facent bone
& estreit. Et si nully
pur ou gardein des portz
ages parmy le dit roi-
ar negligence ou en au-
nere face ou soeffre sci-
ent estre fait en aucun
le contraire de les ditz
rticles touchantz la mo-
r & argent & le dit pas-
es gontz & de ce il soit
t duement forface devers
son dit office & toutz
ms avefque & soit son
commis a la prison a y
er par un an entier sanz
ction. Et sur ce qel-
personne qi espiera & pro-
vement qe rienz soit fait
lention des ditz deux
is articles par ont la dite
re devra eschere dau-
erfone eit il la moitee di-
fature pur son travail
in le Roi.

as much as he hath in goods,
as above is said; (8) and ne-
vertheless, the master or mari-
ner of the ship, or of other ves-
sel, in which he shall carry
over beyond the sea any per-
son but such only as be before
excepted, without the said li-
cence, and thereof be convict
duly, shall forfeit the said ves-
sel to the King. (9) And the
King commandeth all wardens
and searchers of the ports and
passages through *England*, that
they shall from henceforth di-
ligently use their office, and
make good and strait search.
(10) And if any searchers or
wardens of the ports and pas-
sages through the said realm,
by negligence or in other man-
ner do or suffer wittingly to be
done in any point the contra-
ry of the said two articles
touching the money of gold or
silver, and the said passages of
people, and thereof be duly
convict, he shall forfeit to the
King his said office and all his
goods, and his body shall be
committed to prison, there to
abide an whole year without
redemption. (11) And there-
upon whosoever spieeth and
proveth duly, that any thing
be done against the intent of
the said two last articles, where-
by the said forfeiture ought to
fall upon any person, he shall
have half of the same forfeiture
for his labour of the King's
gift.

The penalty of
the master or
mariner of the
ship offending.

The penalty of
searchers or
wardens of
ports offend-
ing.

CAP. III.

*if the King's subjects shall carry forth nor bring any
bandises, but only in ships of the King's allegiance.*

VI, to increase the navy of England, which is now greatly di- Ex edit. Raskal.
ished: it is assented and accorded, That none of the Navy, ships,
liege people do from henceforth ship any merchandise in merchandise.
out or coming within the realm of *England*, in any port, 6 R. 2. stat. 1.
y in ships of the King's liegance. And every person of c. 2.
the

Repealed by
1 Eliz. c. 13.
5 Eliz. c. 5.
13 Eliz. c. 15.

the said liegance, which after the feast of *Easter* next ensuing (at which feast this ordinance shall first begin to hold place) do ship any merchandise in any other ships or vessels upon the sea, than of the said liegance, shall forfeit to the King all his merchandises shipped in other vessels, wheresoever they be found hereafter, or the value of the same: of which forfeitures the King will and granteth, that he that duly espieth, and duly proveth that any person hath any thing forfeited against this ordinance, shall have the third part for his labour of the King's gift.

CAP. IV.

The several prices of several sorts of wines to be sold in gros or by retail, and the forfeiture of those which do sell them dearer.

Wines.

ITEM, as to wines of Gascoine, Rochel, Osey, and of Spain, and wines of the Rhine: it is ordained and assented, That no Englishman that will from henceforth pass the sea for the said wines, and do bring them in any part within the same realm, shall not, nor may not sell his wines within the same realm upon pain of forfeiture of the same, or the price under limited, that is to say, the tun of the best wine of Gascoine, of Osey, or of Spain, C. s. and other tuns of common wines of the same countries for less price, according to the value, as for vii. marks, vi. marks and an half, and vi. marks, and the tun of other such wine at a less price, according to the value, as for five marks and an half, five marks, four marks and an half, and four marks: and pipes and other vessels of less quantity of the same wines shall be sold at the said prices after the rate of the tuns, and the goodness of wine. And as to the retail of the said tuns of wines of Gascoine, of Osey, and of Spain, brought within the realm by Englishmen, the gallon of the best wine shall not be sold within the said realm (upon pain to forfeit all the vessel and wine to the King) above six pence, and within according to the value, and the gallon of the best wine of Rochel at four pence, and within according to the value. And as to the Rhinish wines brought within the same realm, because the vessels and the gallons of the same do not contain any certain measure: it is accorded and assented, That the gallon of the best Rhinish wine (nor in gros nor at retail) be sold in any part within the said realm by the said Englishmen, above vi. d. upon the same pain. Also it is assented, That if any Englishman refuse, and will not sell in gros his wines set to sale for the said prices before limited, but will keep them, only to sell them at retail, or in other manner above the same price before limited, in fraud, and against the form of this ordinance, and the mayor and bailiffs, and other governors of the city, borough, town, or other place within whose power or jurisdiction the said wines shall be found, be it within franchise or without, shall have power by this same ordinance, after that the buyer, according to this ordinance, hath reasonably proffered money for the same wines, once or two times, to the seller of the same wines, to make

Rhinish wine.

make deliverance of the same wines being in bargain to the said buyers, and shall deliver to them the same in deed, as soon as they shall be thereunto required, for the price afore ordained. Mayor, bailiffs. And if any of the said mayor, bailiffs, or other governors, after that they shall be thereof duly required, refuse to do the same, and make not the said deliverance, and that duly proved, he shall forfeit to the King the value of the said wines so bought. And the King's mind is not to restrain the taverns, and other sellers of wines, carrying the same into the country by carts, or in other manner by this ordinance, but that they may enhance the price of their wines for the costs of their carriage to be made by them reasonably, according as hath been ordained in times past : which ordinance shall be duly kept and put in execution. And especially no more shall be from henceforth enhanced upon the gallon of wine for the carriage of fifty miles than one halpenny only. And likewise where greater or less carriage is to be made than by fifty miles, it shall be upon the gallon of wine after the rate and not above, upon pain of forfeiture of the same wines. And this ordinance of wines shall begin to hold place as soon as any new wines shall be brought within the said realm. Also the King defendeth, that no manner of sweet wine, nor claret, from henceforth after the nativity of Saint *John Baptist* next coming, shall be sold at retail in any part within this realm of *England*, within franchise or without, upon pain of forfeiture of the same. And the King will that he that shall espie and duly prove, or do to be proved, that any hath sold any manner of wines, sweet or claret, at retail or otherwise, or offended or forfeited after the terms above limited against the form of these ordinances of wines in any point, whereby he ought by the form of the same any thing forfeit to the King, he shall have the one half of the same forfeiture for his labour of the King's gift, Sweet wines.

Repealed by
6 R. 2. c. 7.
7 R. 2. c. 11.
Vide 28 H. 2.
c 14.

C A P. V.

The King's pardon to those that repressed or took revenge of his rebels.

ITEM, our sovereign lord the King, perceiving that many lords and gentlemen of his realm of England, and other with them, in the rumour and insurrection of villains, and of other offenders, which now of late did traiterously rise by assemblies in outrageous number, in divers parts of the realm, against God, good faith, and reason, and against the dignity of our sovereign lord the King and his crown, and the laws of his lands, made divers punishments upon the said villains and other traitors without due process of the law, and otherwise than the laws and usages of the realm required, although they did it of no malice pre-pensed, but only to appease and cease the apparent mischief, considering the great diligence and loyalty of the lords and gentlemen in this behalf, which were not learned of the said laws and usages, and though at that time they had been learned, a man might not upon those punishments have tarried the process of the law of their good discretions. And Pardon. willing therefore to do them grace, according as they have the same greatly deserved, of the assent aforesaid hath pardoned and released

released to the said lords and gentlemen, and all other being in their aid at the same deed, and to every of them, as much as to him thereof pertaineth, or to him and to his heirs may pertain, so that hereafter for whatsoever thing that is done by them upon the said punishments in resistance, they shall never be impeached nor grieved in body, goods, nor their heritages and possessions, by any way by our sovereign lord the King, his heirs or ministers, nor none other in time to come, but utterly shall be thereof quit for ever by this grant and statute without having thereof other special charter or pardon.

CAP. VI.

Manumissions, releases, and other bonds made in the last tumult by compulsion, shall be void. It shall be treason to begin a riot, rout, or rumour.

Manumissions. **I**TEM, it is ordained, That all manner of manumissions, obligations, releases, and other bonds made by compulsion, duress, and menace, in the time of this last rumour and riot against the laws of the land, and good faith, shall be wholly adnulled and holden for void. And they that have done to be made, or do yet with-hold such manumissions, obligations, releases, bonds, and other deeds, so made by duress, shall be sent before the King and his council, thereof to answer there of their deed, and further shall be constrained to make delivery and restitution of the said deeds to them that made the same against their good gree, with the copies of the same, if percase they have thereof made any before, another time to use or renew the effect of the same if they may. And likewise it is accorded, That all entries made in lands or tenements, and also all feoffments made in the time of the same rumour by compulsion and menace, or otherwise with force of people, against the law, shall be void, and holden for none. And the King straitly defendeth to all manner of people, upon pain of as much as they may forfeit against him in body and goods, that none from henceforth make nor begin any manner of riot and rumour, nor other like. And if any the same do, and that duly proved, it shall be done of him as of a traitor to the King and to his said realm.

Duress.

Entries.

Riot and Rumour.

Repealed by
1 Ed. 6. c. 12.
Vide 1 Geo. 1.
stat. 1. c. 5.

CAP. VII.

The penalty where any doth enter into lands where it is not lawful, or with force.

AND also the King defendeth, That none from henceforth make any entry into any lands and tenements, but in case where entry is given by the law; and in such case not with strong hand, nor with multitude of people, but only in peaceable and easy manner.

ET auxint le Roi defende que nul n'entre en aucunes terres & tenements sinoun en cas ou entree est done par la loy & en cell cas nemye a forte main ne a multitude des gentz einz tantseulement en lisible & aisee maniere. Et si nully desore face con-

The penalty where any doth enter into lands but where his entry is given by the law, and then with strong hand.
1 Hawk. Pl. Cr. c. 64.

raire & ent soit conviēt
nent soit puniz par empri-
ment de son corps & dilloe-
eint a la voluntee le Roi.

manner. (2) And if any man
from henceforth do to the con-
trary, and thereof be duly
convict, he shall be punished
by imprisonment of his body,
and thereof ransomed at the
King's will.

15 R. 2. c. 2.
4 H. 5. c. 8.
8 H. 6. c. 9.
1 H. 7. c. 22.
23 H. 8. c. 14.
Explained
31 Eliz. c. 11.
21 Jac. 1. c. 15.

C A P. VIII.

*Remedy for them whose writings were destroyed in the late
insurrection.*

EM, touching the charters, releases, obligations, and other
eeds and muniments, burnt, destroyed, or otherwise elained
e same rumour, it is assented, That they which thereof feel
grieved, shall put their petitions distinctly made upon
matters specially before the King and his council, betwixt
and the nativity of Saint *John Baptist* next coming at the
est, and there make sufficient proof of the said muniments
ost, and of the form and tenor of the same; and that
such remedy shall thereof be provided for them at
man's complaint, as best shall seem in the case, saving the

A remedy for
them whose
writings were
burned in the
late insurrecti-
on.
6 R. 2. c. 4.

C A P. IX.

*Every person that is impeached in the exchequer may plead in
his own discharge.*

EM pur ce qe grevouſe
leinte ad este ſovent fait
officers de leſchequier de ce
s heirs executours occu-
rs des biens & terre te-
z de diverſes perſones qont
empeschez en dit eſchequier
lettres accompts & dautres
indes & les queux com-
qils ſe ont offertz illoeqes
nſtrer ou pleder pur leurs
arges de ceux empesche-
z ſelonc la loy toutes voies
ont mye eſte a ce reſceuz
nt ſes heures ſanz avoir
es comandement par brief
ttre de grant ou prive ſeal
nt diſaiſe meſchief & de-
es ditz empeschez & nul
tage au Roi Si eſt ordenez
ſentuz qe les barons del
ſchequier aient deſore plein
doier cheſcunſy reſponſe
uelconqe. demande fait en
o L. II. meſme

ITEM, because that grievous
complaint hath oftentimes been
made of the officers of the exche-
quer, for that the heirs, executors,
occupiers of goods, and land te-
nants of divers persons which have
been impeached in the said exche-
quer, of debts, accompts, and other
demands, and which although they
have offered them there to shew,
or plead for their discharge of
those impeachments according to
the law, they have not been al-
ways thereunto received hereto-
fore, without having expreſs com-
mandment by writ, or letter of
the great or privy ſeal, to the great
diſquietneſs, miſchief, and delay of
the ſaid perſons impeached, and no
advantage to the King; (2) it
is ordained and aſſented, That
the barons of the ſaid exche-
quer ſhall from henceforth
have full power to hear every

Every perſon
that is im-
pleaded in the
exchequer
may plead in
his own diſ-
charge.

R

answet

answer of every demand made in the same exchequer, so that every person that is impeached or impeachable of any cause by himself, or by any person, shall be from henceforth received in the same exchequer to plead, sue, and have his reasonable discharge in this behalf, without tarrying or suing any writ, or other commandment whatsoever.

4 Inst. 110.

mesme leschequier issint qe chescune persone qe y soit empeschez ou empescheable de quelconque cause par lui mesmes ou par autre persone soit desore resceuz en dit eschequier a pleder suer & avoir son descharge resonable en cell part sanz attendre ou suer brief lettre ou autre mandement quelconque.

CAP. X.

The covenants of those that shall serve the King in his wars or embassies shall be put in writing, and sent into the exchequer.

ITEM, because that great mischiefs have happened in times past to divers persons, as well to lords of the realm, as other, which were retained or assigned to serve our lord the King by indentures or without indentures, in his wars and his messages, or in other manner, and for the same causes receive certain sums of money at the receipt of the said exchequer, or elsewhere by assignment, which sums have been put upon them in the rolls of the said exchequer, as money received by way of loan, and for that cause the same sums should run in demand upon them at the exchequer as a clear debt, although the said persons so retained, their heirs, executors, occupiers of their goods, or land tenants, after their death have demanded to be admitted to account of the sums received, which hath not been granted to them, but they have been constrained to pursue their warrant by the great or privy seal directed to the treasurer and barons there, whereby it was commanded to the treasurer and barons to account with them in this behalf; (2) which warrants oftentimes have been denied, because that the King's officers

ITEM pur ce qe grantz meschiefs ont escheuz devant ces heures a diverses personnes sibien a les seignurs du roialme come as autres qe furent retenuz ou assignez de servir a nostre seignur, le Roi par endentures ou sanz endentures en ses guerres les messageries ou en autre manere & par celles causes resceurent certains sommes de deniers a la rescite del dit eschequier ou ailleurs par assignement les quelles sommes aient este mises sur eux es rolles del dit eschequier come deniers resceuz par voie dapprest & par tant celles sommes current en demande sur eux a leschequier come dette cler & combien qe les dites personnes ensi retenuz leurs heirs executours occupiours des biens ou terre tenantz apres leur mort aient demandez pur estre resceuz dacompter de les sommes resceuz ne pur quant ce nad mye este a eux grantez einz ont este constreintz de pursuer leur garant de grant ou prive seal direct as tresorer & barons illoques par quel fust commandez as tresorer & barons

compter avec eux en
e les queux garantz
ont este deniez a
s officers du Roi no-
creez par cas na-
issance de tielx re-
z devant leurs temps
itz ont este grantez
n pas si pleinement
n & le cas deman-
r tant qe cel garant
lacompte ne deust
uz forsque soulement
me ensi resceue d'ap-
greindre somme par
fust due de reson a
schief & anientisse-
ditz persones est or-
assentuz qe de toutz
lesore serront retenuz
ez de servir a nostre
Roi soient les cove-
nises en escrit & en-
eschequer a y demorer
iffint qe a quele heure
e ensi retenue ses heirs
soccupours des biens
tenantz viegne ou
dacompter de ce en
soient ils a ce re-
ient due allowance en
mpte selonc la con-
lour covenant. Et si
cun repell ou contre-
nt soit fait de tiel re-
acune persone apres
renances soient mises
& envoiez al dit esche-
e dessus est dit soit
repell semblablement
escrit & envoiez al
avantdit isint qe par
le cell repell & des
es devant illoques en-
barons del dit esche-
t droit a la partie se-
je la loy & reson de-

Et si rienz leurs soit
mesmes les accompts
par certification de
eschequer les tresorer

*cers newly made percase had no
knowledge of such retaining made
before their time; and sometime
have been granted, but not so fully
as reason and the case required:*

*(3) and for as much as the same
warrant would that accompt should
not be received, but only of the
sum so received by loan, whereat
a greater sum percase was due to
them of reason, to the great mis-
chief and hinderance of the said
persons; (4) it is ordained and*

*assented, That of all people
which from henceforth shall
be retained or assigned to serve
the King, their covenants shall
be put in writing, and sent to
the exchequer, there to remain
of record; so that at what time
that any person so retained, his
heirs, or executors, occupiers
of the goods, or land-tenants,
come to accompt thereof at the
exchequer, they shall be there-
to received, and have due al-
lowance in their accompt, ac-
cording to the content of their
covenant. (5) If percase any
repeal or countermand be made
of such retinue of any person
after that his covenants be put
in writing, and sent to the said
exchequer, as is aforesaid, the
same repeal likewise shall be
put in writing, and sent to the
exchequer, so that by the sight
of the same repeal, and of the
covenants before there sent,
the barons of the said exche-
quer shall do right to the party
according as the law and reason
demandeth. (6) And if any
thing be due unto them by the
same accompt, that thereof by
certificate of the same exche-
quer, the treasurer and the
chamberlains shall make pay-
ment or assignment to them
without tarrying or suing other
warrant or commandment of*

*The cove-
nants of those
which shall be
retained to
serve the King
in his wars or
embassies shall
be sent into
the exchequer.*

the great or privy seal in this behalf.

& chamberlains lour facent paiement ou assignement sanz attendre ou fuer autre garant ou mandement du grant ou prive seal in celle partie.

CAP. XI.

The accompts in the exchequer shall be more speedily heard than they were wont.

The accompts of the exchequer shall be more speedily heard than before they were.

ITEM, it is ordained and assented, That the accompts in the exchequer shall be more shortly heard, made, and ingrossed, than they were wont heretofore; saving always, that the parcels of the same accompts be made as fully as they were wont in times past, and that by ordinance to be made by the barons of the said exchequer, there to endure of record for ever.

ITEM est ordenez & assentuz qe les accomptes en leschequier soient plus briefment oiez faitz & engrossiez qils ne soloient pardevant save toutes voies qe les parcelles de mesmes les accomptes soient faitz auxi pleinement come ils soleient estre faitz en temps passe & ce par ordonnance affaire par les barons del dit eschequier a y durer de record pur tout temps avenir.

CAP. XII.

Two clerks shall be assigned to make parcels of accompts in the exchequer.

Two clerks shall be assigned to make parcels of accompts in the exchequer.

ITEM, it is ordained and assented, That two clerks shall be assigned to make parcels of accompts in the same exchequer to them that will demand the same; and they shall be sworn that they shall commit no falshood in their office, and shall take for their labour of them to whom they serve, reasonably, according to the ordinance of the barons of the said exchequer.

ITEM est ordenez & assentuz qe deux clerks soient assignez pur faire parcelles dacomptes en mesme leschequier a ceux qe les veullent demander & soient ils jurez qils ne feront nulle fauxineen lour office & prendront pur lour travail de ceux as queux ils serveront resonablement selonc lordinance des barons del dit eschequier.

CAP. XIII.

Accompts of Nichil shall be put out of the exchequer. An accomptant discharged upon bis oath.

Accompts of Nichil shall be put out of the exchequer.

ITEM, it is ordained and assented, That the accompts of *Nichil* in the exchequer shall be wholly put out; (2) or if any such accompts ought there to remain, the accomptants presently after their oath made in the said exchequer shall be

ITEM est ordenez & assentuz qe les accomptes de Nichil en eschequier soient de tout oustez ou si aucuns tielx accomptz y deivent demorer soient les accomptantz maintenant apres lour serement fait en le dit eschequier examinez

es barons illoeqes fils y ont ou doivent de rienz rendre au Roi en celle par-
Et si trovez soit par leur serment qe noun adonques mesme leur serment soient deschargez dautre accompte de devant ascun auditour pors le droit le Roi salvez.

examined by the barons there, if they should or ought to answer the King of any thing in this behalf. (3) And if it be found by their said oath, that they ought not, then by the same their oath they shall be discharged to yield other account before any auditor, the King's right always saved.

4 Inst. 106.

CAP. XIV.

clerk of the pipe, &c. sworn for the entry of writs of the great and privy seal.

EM est accordez & assentuz qe le clerc de pipe & remembrancers del eschequier jurrez qe de terme en terme ils verront tant come eschequier sera overt toutz pors de grant seal & lettres privees de seal qe ferront mandez eschequier mesme le terme final descharge daucune chose du roialme daucun delict current al dit eschequier chescun de eux a qi il appartient ferra due execution du mandement. Et est auxintez & assentuz qe les ditz remembrancers soient juree de leur part qe chescun de cy en avant ils ferront cedula de toutes les parties qi ferront deschargees en office par jugement ou autre manere en mesme le terme daucuns demandes en eschequier contenant la made mesmes les descharges : faire liverer celle cedula al clerc du pipe mesme le terme au fyn qe mesme le clerc se face ent descharger les parties en le grant rolle. Auxint soit le dit clerc du pipe jurrez qe il de terme en terme demandera les ditz cedula & mesmes les cedules par lui receuees il deschargera dites parties en manere suiffite.

ITEM, it is accorded and assented, That the clerk of the pipe and the remembrancers of the exchequer shall be sworn, that from term to term they shall see (whiles the said exchequer shall be open) all the writs of the great seal, or of the privy seal, which shall be sent to the said exchequer the same term, for the final discharge of any person of the realm of any demand in the said exchequer, and that every of them, to whom it pertaineth, shall make due execution of the said commandment. (2) And also it is ordained and assented, That the said two remembrancers shall be sworn of their part, that every term from henceforth they shall make a schedule of all the persons that shall be discharged in their offices by judgement, or in other manner in the same term, of any demands in the same exchequer, containing the manner of the same discharges, and to deliver the same schedule to the said clerk of the pipe the same term, to the intent that the same clerk of the pipe shall thereof discharge the said parties in the great roll. (3) Also the said clerk of the pipe shall be sworn, that he from term to

The clerk of the pipe and the two remembrancers shall be sworn for the entry of writs of the great or privy seal, &c.

term shall require the same schedules, and the same schedules by him so received, he shall discharge the said parties in the manner aforesaid. (4) And in the same manner, the said clerk of the pipe for his part shall cause to be certified in writing to the said remembrancers of all such discharges which shall be made in his office, to the intent that a man discharged in one place, be discharged in all other places of the said exchequer.

fuisdite. Et en mesme la manere face le clerc du pipe pur sa partie certifier en escript as ditz remembrancers de touz tielx descharges qe ferront faitz en son office au fyn qe homme deschargez en une place soit deschargez en toutes autres places del dit escheqir.

CAP. XV.

Upon a judgement of livery, the remembrancer shall cause the suit to cease.

ITEM, though that many times heretofore divers persons have had livery of their lands and tenements out of the King's hands, by judgement given for them in the King's bench, or elsewhere, and of the same judgements after have procured to send the tenor of the records and processes thereof made by writ of Mittimus into the said exchequer, to the intent for to discharge them of the accompts demanded of them upon the same tenements; nevertheless the officers of the same exchequer would not in times past discharge the said persons thereof, before that the same records and processes were word by word newly entered in the exchequer, and thereupon new process made, and new judgements there another time given, to the great damage and delay of the parties, without profit to the King:

(2) it is ordained and assented, That from henceforth after that such record, or the tenor of the same, shall come into the said exchequer by the King's commandment (as it is said) that the remembrancer, in whose office such accompts shall be demanded, shall presently cause the suit to cease in

ITEM coment qe plusours foitz devant ces heures diverses perones ont euez liverye de leurs terres & tenementz hors de mains le Roi par judgement renduz pur eux en bank le Roi ou aillours & dyceux juggementz aient enapres fait procurer denvoir les tenures des recordz & proces ent faitz par brief de Mittimus en lescheqir avantdit al entente pur eux descharger des accomptes de eux demandez sur mesmes les tenementz nientmeins les officers de mesme leschequier nont mye volu devant ceste heure ent faire descharger les dites perones devant qe mesmes les recordz & proces fuissent de parole en parole nouvellement entrez en leschequer & sur ce novel proces fait & novel juggement illoques autrefoitz renduz a grant damage & delay des parties sanz profit au Roi est ordeinez & assentuz qe desore apres qe tiel record ove le tenure dycelle serra venuz en dit eschequer par mandement le Roi come dit est qe le remembrancer en qi office tiels accomptes seront demandez maintenant face cesser la

suite

How the remembrancer shall use a judgement of livery coming out of any court into the exchequer.

suite en celle partie par paroles a entreres sur l'endossement del brief vouchant le tenure del record del dit juggement sanz novel juggement ou proces faire en celle partie puis avant.

that behalf, by words to be entered upon the indorsement of the writ, vouching the tenor of the record of the said judgement, without new judgement, or making of process further in this behalf.

Altered by
33 H. 8. c. 22.
12 Car. 2. c. 24.

CAP. XVI.

The fees of the exchequer clerks for making commissions, or records of Nisi prius.

ET auxi est assentuz & le Roi defende estreitement qe desore ne soit rienz donez pur une commission affaire en le dit eschequer pur le fee de clerke qe le ferra oultre deux soldz tantseulement ne pur le record de Nisi prius avec la brief si n'oune qe deux soldz seusement come devant ces heures y soloiet estre fait & usez.

ITEM, it is assented, and the King straitly defendeth, That from henceforth nothing shall be given for making of a commission in the said exchequer for the fee of the clerk which shall make the same, above two shillings only; (2) nor for the record of *Nisi prius* with the writ, but two shillings only, as afore this time was wont to be done and used.

The clerk's fee for making of a commission or record of *Nisi prius* in the exchequer.

Et pur ce vous mandons qe les ditz establissemens & ordinaances facez duement crier & publier es citees burghs villes feires marchees & autres lieux notables deinz vostre baillie deinz franchises & dehors & duement les gardir & faire tenir selonc le tenour & forme dicelles. Don par tesmoignance de nostre grant seal a Westm' le xvii. jour de May lan de nostre regne quint.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam.

Ordinationes et concordie facte in parlamento tento apud Westm' in crastino Sancti Johannis ante portam Latinam Anno quinto.

Other statutes made at Westminster, Anno 5 RICH. II. stat. 2. and Anno Dom. 1382.

REX vicecomiti Cornubie salutem. Cum de communi assensu nostro ac Procerum Magnatum & Communitatum regni nostri Anglie nobis in ultimo parlamento nostro assistentium pro securiori regimine & melioratione regni nostri predicti & mercandisarum ejusdem quedam concordie sive ordinationes facte fuissent inter alia sub hac forma :

PUR commune profit du roialme d'Engleterre aient este faitz par nostre seigneur le Roy

FOR the common profit of the realm of England, divers ordinances and establishments have been

been made by our lord the King, the prelates, lords and commons of the said realm, being in this present parliament holden at Westminster the Tuesday next after the feast of St. John Portlatine, the fifth year of the reign of our lord King RICHARD the Second, in the form following.

Roy les prelatz seignurs & communes du dit roialme esteantz en cest parlement tenuz a Westm' lendemain de seint Johan Portlatyn lan du regne nostre seignur le Roi RICHARD quint certaines ordinances & establissemantz en la forme qe sensuit,

CAP. I.

Merchants strangers may come unto, continue, and depart forth of the realm.

Merchants
strangers may
come into this
realm, conti-
nue here, and
depart at their
pleasure,

FIRST it is accorded and assented in the parliament, That all manner of merchants strangers, of whatsoever nation or country they be, being of the amity of the King and of his realm, shall be welcome, and freely may come within the realm of *England*, and elsewhere within the King's power, as well within franchise as without, and there to be conversant, to merchandise and tarry as long as them liketh, as those whom our said lord the King by the tenour hereof taketh into his protection and safeguard, with their goods, merchandises, and all manner familiars. (2) And for so much the King willeth and commandeth, That they and every of them be well, friendly, and merchant-like intreated and demeaned in all parts within his said realm and power, with their merchandises and all manner goods, and suffered to go and come, and into their proper country peaceably to return, without disturbance or impeachment of any.

Primement est assentuz & accordez en parlement qe toutes maneres desstraunges marchantz de quelconque nation ou paiis qils soient esteantz del amistee nostre seignur le Roi & de son roialme soient bien venuz & franchement venir purront deinz le roialme d'Engleterre & aillours en le poair nostre dit seignur sibien deinz franchise come dehors & illoques converser merchander & demorer si longement come bon lour semblera come ceux les queux trestouz nostre seignur le Roi par le tenour dicestes prent en sa protection & salve garde avec lour biens merchandises & familiars quelconques. Et par tant voet le Roi & comande qils & chescun de eux soit & soient bien amiablement & mercheablement tretez & demesnez toutes partz deinz les ditz roialme & poair avec leurs merchandises & biens quelconques & soeffertz daler venir & en leurs propres paiis paisiblement retourner sanz destourbanche ou empeschement de nully.

9 H. 3. stat. 1.

c. 30.

9 Ed. 3. stat. 1.

c. 1.

25 Ed. 3. stat. 4.

c. 2.

CAP. II.

Woolfels and leather may be carried into any country by aliens or denizens, saving into France, until Michaelmas come twelvemonth. Certain money shall be abated to them that will pay their custum beforehand.

ITEM, it is assented and accorded in the parliament, That the passage of wools, leather, and woolfels be open to all manner of merchants and other, as well foreigners as denizens, that will buy the same and readily pay in hand for the same the customs, subsidies and devoirs of *Calais* due from henceforth to the feast of St. *Michael* next come twelvemonth, in such manner, that in the mean time they and none other may ship and cocket the same in ports within the realm accustomed, and from thence to carry and bring them towards what parts they will choose beyond the sea, without impediment or impeachment, *except to the realm of France*. And moreover of the assent aforesaid our sovereign lord the King will and granteth to all those merchants and other, which betwixt this and the xv. of St. *Martin* next ensuing, shall pay before in hand the subsidies, customs, and devoirs for the wools, leather, and woolfels, which they will pass and do to be carried beyond the sea, betwixt the first day of *September* next coming, and the said feast of St. *Michael* next come twelvemonth, his pardon and release of half a mark of every sack of wool, half a mark of every CCXL. woolfels, and also of their leather after the rate, upon their said payments so to be made beforehand (as it is said) and therewithal they and every of them shall have freely the passage of the same their wools, leather, and woolfels at large where and when they will, as above is said, before the feast of St. *Michael* aforesaid without any manner impeachment or impediment. But the King's mind is, That they, which will not pay the subsidies of their wools, leather, and woolfels before the said fifteenth they shall pay wholly the customs, subsidies, and devoirs of their wools, leather, and woolfels to be passed beyond the sea, without having remission of the said half mark by any way. And the King promisseth, and it is accorded and assented by all the estates of the parliament, that against this grant and ordinance, nor against those persons, which so shall pay beforehand, and before the said fifteenth, their subsidies, customs and devoirs, and shall have therefore the said passage of their wools, leather, and woolfels, and release of the said half mark (as is said) no repeal, revocation, countermandment, impediment, nor other thing shall be made by our sovereign lord the King, his council, his ministers, nor none other, which may turn or sound in disturbance of their covenant or passage aforesaid by any way of the world. And the King will and granteth, at the request of his commons, that the money coming of the subsidy of the said wools, leather, and woolfels granted at the last parliament, be wholly applied upon the defence of the realm.

Ex edit. Raftal.
Wools.
Leather.
Woolfels.

Merchants
customs lessened.

realm of *England*, and the keeping and governance of his and fortresses beyond the sea, after the good advice of the of the realm, and other wise men of the King's council.

C A P. III.

A subsidy granted to the King, so that the money that thereby may be wholly employed upon the keeping sea.

Mariners subsidy.

ITEM, upon the proffer which had been made in the parliament by the mariners of the west, to make an arm on the sea, to endure from this time till the feast of St. Michael next coming in the ii. years, the lords and commons be this parliament have granted to the King a subsidy of i take of every tun of wine, and of a less vessel after this to be brought within the realm of *England*, and also vi. d. li. to take and receive of all manner of other merchandises, except wools, leather, and woollens, over the customs and subsidies thereof due before this grant from the xxi. May this present year, till the feast of St. Michael next coming and from the same feast by ii. whole years next ensuing. ways that the money thereof coming be wholly applied upon the sailing of the sea, and no part elsewhere. And at the request of the commons, the King will that Sir John Philpot, knight, be receiver and keeper of the money rising of the said subsidy, from the town of Southampton towards the north, and that John P. and Thomas Beaupenny be receivers and keepers of the said subsidy in the town of Southampton, and from thence towards the west by the King's letters patents thereof to be made to the persons in due form. And also certain sufficient persons be assigned by the King to be comptrollers to the said collection. And the people being in the said army, shall have what their gains and profits, to be departed betwixt them and the said army above said: and the admirals and other of the army, shall be assured to save the King's friends and allies out damage to be done to them or to any of them by any way if they do, and that be duly proved, they shall bind themselves on a grievous pain thereof duly to make amends.

Army.

C A P. IV.

Every one to whom it belongeth, shall upon summons come to the parliament.

4 Inst. 10. 43. Every person to whom it doth belong, shall upon summons come to the parliament.

ITEM, the King doth will and command, and it is assented in the parliament, by the prelates, lords, and commons, That all and singular persons and commonalties, which from henceforth shall have the summons of the parliament

ITEM voet le Roi mande & est assenté par lez prelatz, seignurs et communes que singulieres persones & communes quaveront desormais monce de parlement venir de cy en avant as parliement

manere come ils sont te-
le faire & a este acustu-
leinz le roialme d'Engle-
dauncienete: Et quel-
perfone de mesme le
ne qavera desore la dite
ice soit il ercevesqe evesqe
prieur duc cont baron
et chivaler de contee ci-
in de citee burgeis de
ou autre singulere per-
ou comminaltee quel-
soi absente ou ne veigne
a la dite somonce sil ne
erra resonablement & ho-
nent ent excuser devers
i nostre seignur soit amer-
& autrement puniz selonc
auncienement a este usez
le roialme avantdit en
s. Et si ascun viscont
ialme soit desore negligent
aisant ses retournes des
du parlement ou qil face
lessier hors des ditz re-
es aucuns citees ou burghs
& sont tenuz & dauncien
s soloient venir a parle-
soit puniz en manere qe-
icustumez destre fait en le
auncienete.

liament, shall come from
henceforth to the parliaments
in the manner as they are
bound to do, and have been
accustomed within the realm
of *England* of old times. (2)
And if any person of the same
realm, which from henceforth
shall have the said summons
(be he archbishop, bishop, ab-
bot, prior, duke, earl, baron,
banneret, knight of the shire,
citizen of city, burgeis of bo-
rough, or other singular per-
son or commonalty) do absent
himself, and come not at the
said summons (except he may
reasonably and honestly excuse
him to our lord the King) he
shall be amerced, and other-
wise punished, according as of
old times hath been used to be
done within the said realm in
the said case. (3) And if any
sheriff of the realm be from
henceforth negligent in ma-
king his returns of writs of
the parliament; or that he
leave out of the said returns
any cities or boroughs, which
be bound, and of old time
were wont to come to the par-
nt, he shall be amerced, or otherwise punished in the
ier as was accustomed to be done in the said case in times

The punish-
ment of a she-
riff omitting
his returns.

CAP. V.

*ffs commissioned to apprehend preachers of heresy, and
their abettors. The enormities ensuing the preaching of
heresies.*

EM, forasmuch as it is openly known, that there be divers evil
persons within the realm, going from county to county, and from
to town in certain habits under dissimulation of great holiness, and
ut the licence of the ordinaries of the places or other sufficient authori-
aching daily, not only in churches and churchyards, but also in mar-
fairs, and other open places, where a great congregation of people
vers sermons containing heresies and notorious errors, to the great
mishng of the christian faith, and destruction of the laws, and of
ate of holy church, to the great peril of the souls of the people, and of
realm of England, as more plainly is found and sufficiently pro-
fore the reverend father in God, the archbishop of Canterbury,
and

Not a statute,
the commons
never assent-
ing thereto.
Vide
Hales hist.
Pl. Cr. 394, 395.

Preachers.

Chancellor.
Commission.
Rep. 1 Ed. 6.
c. 12.
1 Eliz. c. 1.

and the bishops and other prelates masters of divinity, and doctors of canon and of civil law, and a great part of the clergy of the said realm specially assembled for this cause: which persons do also preach divers matters of slander, to engender discord and dissention betwixt divers estates of the said realm as well spiritual as temporal, in exciting of the people, to the great peril of all the realm: which preachers cited or summoned before the ordinaries of the places, there to answer of that whereof they be impeached, will not obey to their summons and commandments, nor care not for their monitions nor censures of the holy church, but expressly despise them: and moreover by their subtil and ingenious words do draw the people to hear their sermons, and do maintain them in their errors by strong hand and by great routs: it is ordained and assented in this present parliament, That the King's commissions be made and directed to the sheriffs and other ministers of our sovereign lord the King, or other sufficient persons learned, and according to the certifications of the prelates thereof to be made in the chancery from time to time, to arrest all such preachers, and also their fautors, maintainers, and abettors, and to hold them in arrest and strong prison, till they will justify them according to the law and reason of holy church. And the King will and commandeth, That the chancellor make such commissions at all times, that he by the prelates or any of them shall be certified and thereof required, as is afore said.

NOS volentes dictas concordias sive ordinationes in omnibus & singulis suis articulis inviolabiliter observari tibi precipimus quod predictas concordias sive ordinationes in locis infra ballivam tuam ubi melius expedire videris tam infra libertates quam extra publice proclamari & teneri facias juxta formam prenotatam.

T. R. apud Westm' xxvi. die Maii.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam.

Statutes made at *Westminster* Anno 6 RICH. II. stat. 1. and *Anno Dom.* 1382.

REX vicecomiti Kancie salutem. Scias nos quedam statuta ordinationes & remissiones in ultimo parlamento nostro apud Westm' tento pro communi utilitate regni nostri Anglie fieri fecisse in hec verba:

TO the laud and honour of Almighty God, and of our holy mother the church, and to the commodity and profit of the realm of England, and of the commonalty of the same, our lord RICHARD, by the grace of God King of England and of France, and lord of Ireland, by the assent of the prelates, lords, and com-

mons

AD laudem & honorem omnipotentis Dei & sancte matris ecclesie commodumque regni Anglie & utilitatem reipublice dominus Ricardus Dei gratia Rex Anglie & Francie & dominus Hibernie de assensu prelatorum ducum comitum baronum & communitatum dicti regni Anglie

in parlamento suo a-
'estm' die lune in octa-
sti Michaelis anno reg-
Anglie sexto convocato
quedam ordinationes
ones & pardonationes
cit & stabiliri in forma
ienti.

*mons of the said realm of Eng-
land, in his parliament holden at
Westminster the Monday in the
Utas of St Michael, in the sixth
year of his reign, hath caused to be
made and stablisbed certain sta-
tutes, ordinances, remissions and
pardons in the form following:*

CAP. I.

*irmation of the liberties of the church, and of all sta-
tutes not repealed.*

rimis ordinatum est &
icordatum quod sancta
ecclesia Anglicana ha-
mnes libertates suas in-
& illesas ac eisdem ple-
deat & utatur & quod
i Carta & Carta de Fo-
atutaeque facta de provi-
pro hospitio domini
& aliorum ac omnia alia
& ordinationes ante
npora facta & nondum
ta in omnibus suis arti-
firmiter observentur &
ioni debite juxta effec-
rundem demandentur.

FIRST, it is ordained and
accorded, That our holy
mother the church of *England*
have all her liberties whole
and unhurt, and the same fully
enjoy and use: (2) and that
the Great Charter and the
Charter of the Forest, and the
statute of purveyors for the
King's house, and for others,
and all statutes and ordinances
before this time made, and
not yet repealed, be firmly ob-
served in all their articles,
and put in due execution ac-
cording to the effect of the
same.

A confirma-
tion of the li-
berties of the
church and of
all statutes
not repealed.

CAP. II.

*of debt, accompt, &c. shall be commenced in the coun-
ties where the contracts were made.*

M ut brevia de debito &
nputo aliisque hujusmo-
tionibus quecumque de
capiantur in com' & di-
ar vicecomitibus com'
ontractus actionum ea-
n emerferint ordinatum
concordatum quod de
in placitis super brevi-
lis narratum fuerit con-
n inde fore factum in a-
nitatu quam in brevi o-
i continetur quod tunc
inienti breve illud peni-
stetur.

ITEM, to the intent that
writs of debt and accompt,
and all other such actions, be
from henceforth taken in their
counties, and directed to the
sheriffs of the counties where
the contracts of the same ac-
tions did rise; (2) it is or-
dained and accorded, That
if from henceforth in pleas
upon the same writs it shall be
declared, That the contract
thereof was made in another
county than is contained in
the original writ, that then in-
continently the same writ shall
be utterly abated,

Actions of
debt, &c. shall
be commen-
ced in the
counties
where the con-
tracts were
made.

Rast. 178.

CAR.

CAP. III.

In which court writs of nuisance called Vicountiels, shall be pursued.

In what courts writs of nuisance called Vicountiels shall be pursued.

ITEM, it is accorded and ordained, That all writs of nufances commonly called *Vicountiels*, shall be from henceforth made at the election of the plaintiff, in the nature of the plaintiff, in the nature of old times used, or else in the nature of assises determinable before the King's justices of the one bench or the other, or before the justices of assise to be taken in the county of the place assigned or to be assigned.

13 Ed. 1. stat. 1.
c. 24.

ITEM ordinatum est & cordatum quod omnia via de nocumentis Vicecomitatus vulgariter nuncupata de cetero ad electionem quicunque in natura antiquitus vel etiam in natura assise terminabilium coram iusticiis domini regis de uno banco altero seu iusticiariis assisarum comitat' loci capiend' assignand'.

CAP. IV.

Deeds enrolled that were destroyed in the late insurrection exemplified, shall be of force.

Deeds that were enrolled and late imbezelled by rebels in an insurrection being exemplified shall be of the same force as the deeds.

ITEM, it is accorded, That all inrollments of deeds, and other muniments in the rolls of the chancery, of either the King and the exchequer of our lord the King before this time rolled, and after by traitors to the King and his realm, in insurrection late made within the same realm seditiously moved, torn, and rent, or otherwise imbezelled, shall be due form exemplified under the King's great seal without the seal thereof to be paid, and that the same exemplification so had, shall be of the same effect and strength in all thing the same deeds and muniments should have been, if they had whole and unhurt.

5 R. 2. stat. 1.
c. 8.

CAP. V.

Justices of assise, &c. shall hold their sessions in principal towns.

Justices of assise and gaol-delivery, shall hold their sessions in principal towns.

ITEM, it is ordained, and accorded, That the justices assigned and to be assigned to take assises and deliver the gaols shall from henceforth hold their sessions in the principal and chief towns of every of the counties where the shire courts of the same counties be holden, and hereafter shall be holden.

14 H. 6. c. 3.
Farther provided for
11 R. 2. c. 11.

ITEM ordinatum est & cordatum quod iusticie assisas capiendas & gaolas berandas assignati & assignati de cetero teneant sessiones suas in principalibus & capitulis villis singulorum comitatum ubi videlicet comitatus eorum vel impofterum teneantur.

CAP. VI.

penalties of the man and woman, where a woman raved doth consent. In an appeal of rape the defendant not wage battle.

M contra malefactores raptores dominarum & nobilium aliarumque im violentius & plus sordidius diebus quasi in omni igni predicti invalescentinatum est & statutum ibicunque & quando hujusmodi domine fide mulieres predictae de rapiantur & post hujusmodi raptum hujusmodi rapti consenserint quod tam sive rapientes quam eorum quilibet de cetero tentur & inhabiles sint ad ad omnem hereditatem sive conjunctum entum post mortem vi & antecessorum suorum vel vendicand'. Et ita in hoc casu proximo sanguine eorumdem rapti & raptarum cui hereditas seu conjunctum feoffum descendere reverti re vel accidere deberet mortem rapientis vel rapti titulum immediate scilicet post raptum in super rapientem vel raptorum assignatos & terras in eisdem hereditate conjuncto feoffamento hereditate tenend'. Et si hujusmodi mulierum habuerint vel si viros habuerint superstites quod tres vel alii de sanguine im propinquiore de habeant sectam prosequi & sequi poterunt verum malefactores & rapti hac parte & illos inde s eadem mulieres post huius

ITEM, against the offenders and ravishers of ladies and the daughters of noblemen, and other women in every part of the said realm, in these days offending more violently, and much more than they were wont: (2) it is ordained and stablished, That wheresoever and whensoever such ladies, daughters, and other women aforesaid be ravished, and after such rape do consent to such ravishers, that as well the ravishers, as they that be ravished, and every of them, be from thenceforth disabled, and by the same deed be unable to have or challenge all inheritance, dower, or jointfeoffment after the death of their husbands and ancestors.

(3) And that incontinently in this case the next of the blood of those ravishers, or of them that be ravished, to whom such inheritance, dower, or jointfeoffment ought to revert, remain, or fall after the death of the ravisher, or of her that is so ravished, shall have title immediately, that is to say, after the rape, to enter upon the ravisher, or her that is ravished, and their assigns, and land-tenants in the same inheritance, dower, or jointfeoffment, and the same to hold in state of inheritance.

(4) And that the husbands of such women, if they have husbands, or if they have no husbands in life, that then the fathers, or other next of their blood, have from henceforth the suit to pursue, and may sue

The penalties both of the man and the woman where a woman ravished doth consent.

3 Co. 61.
Plowd. 45.

In an appeal
of rape the
defendant
shall not wage
battle.

3 Ed. 1. c. 11.
13 Ed. 1. stat. 1.
c. 34.

sue against the same offenders and ravishers in this behalf, and to have them thereof convicted of life, and of member, although the same women after such rape do consent to the said ravishers. (5) And further it is accorded, That the defendant in this case shall not be received to wage battle, but that the truth of the matter be thereof tried by inquisition of the country; (6) saving always to our lord the King, and to other lords of the said realm, all their escheats of the said ravishers, if peradventure they be thereof convicted.

hujusmodi raptum dictis raptoribus consenserint de vita & membro convincendi. Et ulterius concordatum est quod defendens in hoc casu ad duelum vadiandum minime recipiatur immo rei veritas inde per inquisitionem patrie trietur salvis semper domino Regi & ceteris dominis regni predicti de raptoribus illis si fortassis inde convincantur in omnibus escaetis suis.

CAP. VII.

At what prices sweet wines may be sold.

Ex edit. Pult.
At what prices
sweet wines
may be sold.

5 R. 2. stat. 1.
c. 4.
Rep. 7 R. 2. c. 11.
28 H. 8. c. 14.

ITEM, though it were late ordained in the parliament of the said King, holden at *Westminster* in the morrow of *All Souls*, the fifth year of his reign, that no sweet wines in his said realm should be in any wise sold at retail after the feast of *St. John Baptist* last past, upon pain of forfeiture of the same: yet of the assent aforesaid it is ordained and accorded, That the same sweet wines may be sold in every place within the said realm, at the price that wines of *Gascoign* and *Rhine* shall happen to be sold, and not above, upon pain of forfeiture of the same, notwithstanding the said first ordinance.

CAP. VIII.

Where no English ships are to be had, others may be used.

5 R. 2. stat. 1.
c. 3.
Where no English ships
are to be had,
men may
bring in or
carry forth
their mer-
chandises in
strangers
ships.
4 H. 7. c. 10.
23 H. 8. c. 7.
31 H. 8. c. 14.
Rep. 1 Eliz.
c. 13.
5 Eliz. c. 5.
13 Eliz. c. 15.

ITEM, though late in the same parliament it was ordained, That none of the King's liege people, after the feast of *Easter* next coming, should in any wise ship any merchandises or goods to be carried out of the realm of *England*, or to be brought within the same realm, in any ships, upon pain of forfeiture of the said goods and merchandises, or the value of the same, except in ships of the King's ligeance: (2) yet of the assent aforesaid, it is ordained and granted, That the said ordinance only have place as long as ships of the said ligeance in the parts where the said merchants shall happen to dwell, be found able and sufficient: so that then they shall be bound to freight the same ships of the King's ligeance, with their merchandises under the pain aforesaid, before all other ships. (3) And otherwise it shall be lawful to the same merchants to hire other ships convenient, and there to freight them with their goods and merchandises, notwithstanding the said first statute.

CAP. IX.

Viſtualler ſhall execute a judicial place in a city or town corporate.

M, it is ordained and enacted, That neither in the city *London*, nor in other cities, boroughs, towns, or ports of the realm, any viſtualler ſhall have, exerciſe, or no wiſe occupy any judicial office, but in ſuch town none other perſon ſufficient may be found to have the office. (2) In which caſe yet the ſame judge for the time ſhall continue in the ſaid office, ſhall utterly omit and himſelf and his from the exerciſe of viſtualling, upon forfeiture of his viſtuals ſo ſold.

No viſtualler ſhall exerciſe a judicial place in any city or town corporate.
12 Ed. 2. ſtat. 1. c. 6.
Rep. 7 R. 2. c. 11.
3 H. 8. c. 8.

CAP. X.

being in amity with the King, may bring in viſtuals, and ſell them.

¶ *ordinatum eſt condatum quod quicunque ci & alienegene de amiegis & regni exiſtentes teſque infra dictam ci- London' & alias civi- urgos & villas infra regredictum tam infra li- s quam extra cum piſ- & aliis viſtualibus qui- que ibidem morando & pria redeundo ſint de ce- b ſalva garda & ſpeciali- one domini Regis pre- ibidem liceat eis & co- ſilibet ac vigore preſen- te cetero poterunt piſces- alia predicta abſque im- ento & contradictione- inque ſcindere per pe- lliare ac in parte vel- o & ad retalliam ſive- ſſo prout ſibi melius- it vendere atque com- a ſuum inde facere qui- que ſtatutis cartis ordi- bus privilegiis ſeu con- nibus factis vel habitis- trarium non obſtanti-*

ITEM, it is ordained and accorded, That all man- ner of foreigners and aliens being of the amity of the King, and of his realm, and coming within the ſaid city of *London*, and other cities, boroughs, and towns within the ſaid realm, as well within liberties as with- out, with fiſh and all manner of other viſtuals, there tarry- ing and going again to their own countries, ſhall from henceforth be under the ſafe- guard and the ſpecial protection of our ſaid lord the King; (2) and there it ſhall be lawful to them and every of them, and by force of theſe preſents they may from henceforth cut their fiſhes and viſtuals aforeſaid, without impeachment or deny- ing of any man, in pieces, and in part, or in all, at re- tail, or in groſs, as to them beſt ſhall ſeem, to ſell and make their profit; any charters, ſta- tutes, ordinances, privileges, or cuſtoms made or had to the contrary notwithstanding.

7 R. 2. c. 11.
14 H. 6. c. 6.
Aliens being in amity with the King and the realm may bring in viſtuals and ſell them in groſs or at retail.

CAP. XI.

Hosts in cities, towns, &c. on the sea-coasts, shall not further sell fish or other victuals. Fishmongers of London may not buy fresh fish to sell again, except eels, &c.

Ex Edit. Raft.
London.
Hosts.

ITEM, it is ordained, That all manner of hosts, as well in the city of London, and the town of great Yarmouth, Scarborough, Wichelessea and Rye, as also in certain other towns and places upon the coast of the sea and elsewhere, through all the said realm, as well within liberties as without, shall from henceforth utterly cease and be removed from their noyance and wicked deeds and forestallings. And in especially they be inhibited by our sovereign lord the King, that they nor none of them (upon the pain that belongeth) shall any further intrude to embrace herring or any fish or other victuals, under the colour of any custom, ordinance, privilege, or charter before made or had to the contrary (which by tenour of these presents be utterly repealed) or privily or apertly do or procure to be done as impediment to any fishers or victuallers, denizens or aliens being of the King's amity, whereby they or any of them be compelled to sell their fish or other victuals, but where and when, and to any person whosoever they will within the said realm at their pleasure. And moreover, it is specially inhibited to all and singular the said hosts, that none of them, upon the pain aforesaid, intromit from henceforth of buying, selling, or converting any manner sea-fish fresh, to the use of any fishmonger, or other citizens of the said city of London. And likewise it is inhibited to all fishmongers and other citizens of the same city of London, that none of them (upon the same pain) far from the same city, nor near the same, from henceforth buy any sea-fish fresh, nor of the fresh water, to sell again in the same city, except eels, fresh lucas and pykes, which shall be and remain in common, as well to denizens as foreigners, to buy or sell, so that nevertheless the denizens shall in no wise let the foreigners within the same city, to sell such fish, as often as they shall bring or cause to be brought the same fishes to the said city.

Rep. 7 R. 2.
c. 11.

CAP. XII.

All chief officers of towns corporate shall be sworn to observe the aforesaid ordinance touching fishmongers.

Mayor of
London.
Oath.
Victuallers.

ITEM, it is ordained, That every mayor of London for the time being, especially amongst other things, shall be charged in his oath, to be given to him at the King's exchequer, that he shall hold and do to be holden and kept the ordinances of fishmongers and victuals (as is aforesaid) made within his bailliwick, and the same (all favour set apart) do from time to time to be put in due execution. And likewise the mayors and bailiffs, and all other governors of cities, boroughs and towns, and of such victuallers in every place through the said realm within liberties and without, in every of their oaths upon their

new creation to be given in their offices, shall from henceforth be charged in especial, that they shall do such ordinance of vic-tuallers to be holden and firmly kept in their bailiwicks, as much Rep. 7 R. 2. c. 11. as to them and every of them pertaineth.

CAP. XIII.

The King's pardon to his subjects after the late insurrection, with exceptions.

ITEM, at the supplication and instance of the commons of the Pardon. said realm, the same our sovereign lord the King of his special grace, and of the assent afore said, and to the intent that the said commonalty from henceforth may the more fervently abide in the love, faith and obedience of the same our sovereign lord the King and of his heirs, and peaceably bear themselves in all parts through the said realm, hath pardoned and remitted to all and singular his liege people and subjects, of what estate, degree or condition they be: except all those whose names another time in the parliament of this king, the v. and vi. year of his reign, were delivered by the same our sovereign lord to be excepted from all grace, as principal beginners, abettors, and procurers of the insurrection late traiterously made within this Insurrection. realm, whereof they be arraigned, and also other three persons citizens of London, which now in the parliament be in especial arraigned for that (that is to say) that one of the same citizens did first and principally lett William Walworth, late mayor of London, and certain other the King's faithful people to shut the gates of the said city against the commonalties of Kent and Essex, then traiterously assembled in the said insurrection, that they should have none entry into the said city, and to defend the same city from the said traitors. And the other two of the said three citizens of London were arraigned, of that that they should have been the first and chief counsellors of the same traitors, that they should come and enter the said city, and leaders of the same traitors within the said city: and all other fully being in the same case of the three citizens, or any of them. And also all and singular persons of the town of S. Edmondsbury likewise excepted, the suit of his peace, and as much as to him pertaineth or may pertain for treasons and felonies in the said insurrections, betwixt the first day of May, the fourth year of his reign, and the feast of the nativity of Saint John the Baptist then next following, in any manner of wise done or committed, whereof they were indicted, arraigned, or appealed, and also outlawries, if any in them, or any of them were by these occasions promulgated, and hath granted, and by these presents doth grant to them and every of them, by the tenor of these presents, his firm peace: so nevertheless, that they stand right in the King's court, if any against them, or any of them will speak of the premisses or of any of them. Also the same our sovereign lord the King hath pardoned and remitted to the commons of his said realm, and to every singular person of the same realm (except before excepted) as much as to him pertaineth or

may pertain, for all trespasses in any manner of wise done or committed in the same realm, before the xxiii. day of *October* this present year, except all trespasses by certain officers of the King, and of other lords and great men of the said realm, and also by certain maintainers of quarrels, and all jurors, and also especially except such trespasses done before the said xxiii. day of *October*, in any wise concerning lands or tenements. And by the same our sovereign lord the King it is ordained, and graciously granted, That the said grace, remissions, and pardons shall be available to every of the King's liege people, except before excepted, as though every of them had or should obtain thereof the King's special charter. And therefore we command, &c.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam sub eadem data.

Other statutes made at *Westminster*, Anno 6 RICH.
II. stat. 2. and Anno Dom. 1383.

Nova statuta.

REX vicecomitibus London & Middlesexie salutem. Sciatis quod in parlamento nostro apud Westm' ultimo tento quedam statuta pardonationes & ordinationes fieri fecimus in hec verba "In parlamento tento apud Westm' die Lune in tertia septimana quadagesime anno regni Regis RICHARDI secundi post conquestum sexto dominus noster Rex de assensu prelatorum procerum & magnatum sibi in eodem parlamento assistentium statuta quedam remissiones & ordinationes fieri fecit ad laudem & honorem omnipotentis Dei & pro quiete populi sui in forma subsequenti."

CAP. I.

A more large pardon granted by the King to the offenders in the late insurrection, with few exceptions.

IN primis ordinatum est & concessum quod ecclesia Anglicana omnibus libertatibus & liberis consuetudinibus suis plene gaudeat & utatur & quod Magna Carta & Carta de Foresta in omnibus suis articulis firmiter teneantur & executioni debite juxta effectum earundem demandentur.

CAP. II.

Confirmation of the statutes of purveyors, &c.

ITEM ordinatum est & concessum quod statuta de provisoribus victualium & cariagii pro hospitio domini Regis in omnibus suis articulis similiter custodiantur et executioni debite demandentur.

CAP. III.

They which can bring witnesses that they came to the insurrection compelled, shall be acquitted of trespasses.

ITEM, whereas our sovereign lord the King, in his parliament summoned at *Westminster*, the Monday in the *utis* of Saint Michael, the sixth year of his reign, of his especial grace did pardon

pardon and remit to all and singular his liege people and subjects, of whatsoever estate, degree, or condition they were (except certain citizens of *London* and other, of whom special mention is made in the said pardon) the suit of his peace, and whatsoever thing to the said King pertained or might pertain, for all manner of treasons and felonies done or committed in the time of the insurrection, then lately within the said realm of *England* stirred, whereof they were indicted, arraigned, or appealed, as in the same parliament is more fully contained: the said our sovereign lord the King at the instant supplication of the commons of his said realm, made in this present parliament, as a benign lord, having compassion of his subjects, clearly perceiving that in how much more graciously he would do by them, so much the more tranquility should grow betwixt his said subjects, of the assent aforesaid, will and granteth, That the said grace, pardon, and remission in the said parliament, that is of Pardon. treasons and felonies done and committed in the said insurrection (as before is said) shall in all things extend to all and singular his liege people and subjects, as well of *London*, as of other before excepted from the said grace: such only except, whose names specially in the said parliament holden at *Westminster*, the morrow of All Souls, in the fifth year of his reign, were by the same King delivered to be excepted from the said grace. So that all and singular persons of the said realm, of what estate, degree or condition they be (none of them except, but the persons whose names be delivered in the said parliament the said v. year) shall take full benefit of the same grace, pardon, and remission, by force of these presents, as though every of them had or should obtain upon the same the King's special charter, and also as they should take if no exception thereof were made of them in the said first grace of pardon. Howbeit, the King's mind is not, but that the men of *S. Edmondshury* shall be thereof holden to pursue specially for the King's charters of pardon, and further to find sufficient surety of their good bearing, as well against our sovereign lord the King and his people, as against the abbey of *Bury*, according to the ordinance thereof another time made in the King's council.

C. A. P. IV.

Actions of trespasss to be brought within a limited time.

ITEM, for peace and tranquility to be nourished and augmented throughout the same realm, and to cease strife and contentions: it is ordained and accorded, That if any person feel himself by occasion of any trespasss done in the same insurrection to be grieved or damnified, and for the same peradventure doth purpose to make his suit against the said trespasss, that the same person begin the same suit (if he see it expedient for him) before the xv. of Saint *John* next coming, or else (the said xv. being past) he shall be excluded from the same suit, and occasion thereof for ever.

CAP. V.

The number of compurgators to prove the compulsion.

Purgation.

ITEM, as to the quarrels or suits of trespasses done in the said insurrection, commenced before any of the King's justices, or before the said xv. to be commenced; it is likewise ordained and accorded, That if they, against whom such suits be taken, or before the said xv. shall be taken, come before judgement, and will thereof purge or acquit themselves before, by three or four good and convenient men, and not suspect, thereunto sworn before the justices, where the plea shall be thereof hanging, that is to say, that they came not willingly in the place presented for the cause of any evil, nor did no harm, but only by the compulsion of other, they shall be thereto received by the justices and judges aforesaid, and such purgation made by the said witnesses, then they shall depart thereof utterly quit, &c.

Consilia mandata diriguntur vicecomitibus subscriptis sub eadem data videlicet.

Vic' Norff' & Suff'
Vic' Essex' & Hertf'
Vic' Lincoln'
Vic' Ebor'
Vic' Kant'
Vic' Surr' & Suffex'
Vic' Somers' & Dors'
Vic' Cornub'

Vic' Devon'
Vic' Cantabr' & Hunt'
Vic' Bed' & Buck'
Vic' Northamp'r
Vic' Glouc'
Vic' Suthamp'r
Vic' Wiltes.

Statutes made at Westminster, Anno 7 RICH. II.
and Anno Dom. 1383.

RICHARD by the grace of God, &c. to the sheriff of York, greeting. Know thou, that at our parliament holden at Westminster, the Monday next before the feast of All Saints last past, to the honour of God and of holy church and for the common profit of the realm, of the assent of the prelates, lords, and commons, being at the said parliament, we have caused to be made certain statutes and ordinances in the form following.

LE Roi a nostre viscount de Kent salut. Sachez qe nostre parlement tenuz a Westm' le Lundy prochein devant le feste de toutz seintz darrein passe al honour de Dieu & de seinte esglise & par commune profit du roialme de l'assent des prelatz seignurs & communes esteantz el dit parlement avons fait faire certains estatutz & ordinances en la fourme qe sensuit,

CAP. I.

A confirmation of the liberties of the church.

limerement est assentuz & accordez qe seinte esglise ait jouïse toutes ses libertees & franchises auxi entierement & ele les ad euz & enjouiez temps des nobles Rois d'Engleterre progenitours nostre sur le Roi qore est.

First, it is assented and accorded, That hply church have and enjoy all her liberties and franchises as wholly as she hath had and enjoyed them in the time of the King's noble progenitors.

A confirmation of the liberties of the church.

CAP. II.

A confirmation of all former statutes in force.

EM qe la Grant Chartre & la Chartre de la Foreste utz les autres bones estatuz & ordinaunces avant ces es faitz & nient repelez et tenuz & gardez & duement executz selonc leffect dis.

ITEM, That the Great Charter and the Charter of the Forest, and all other good statutes and ordinaunces made before this time, and not repealed, shall be holden and kept, and put in due execution according to the effect of the same.

A confirmation of all other statutes in force.

CAP. III.

A jury for a trespass within the forest shall give their verdict where they received their charge.

EM a la grevouise plainte est ore faite des ministres foreste est assentuz & accordez qe nulle manere de juron de foreste par ascun ministre de la foreste nautre ne quelconque de travailler leu en lieu hors des lieux sur charge lour est donez ne leur gree ne par malice ne menace ou autre duretee breinte de dire lour veredit espas fait en foreste autre que leur conscience ne leur verra clerement enfourmer dient ils lour veredit sur charge es lieux ou celle ge lour est donez come deist dit.

ITEM, at the grievous complaint which is now made of the officers of the forest, it is assented and accorded, That no manner of jury shall be from henceforth compelled by any officer of the forest, or other person whatsoever, to travel froth place to place out of the places where their charge is given to them, against their gree, (2) nor by malice, nor by menace, or other dures, constrained to give their verdict of a trespass done in the forest, otherwise than their conscience will clearly inform them; (3) but they shall give their verdicts upon their charge, in the places where their charge is given them, as above is said.

A jury for a trespass within a forest shall give their verdict where they received their charge.

9 H. 3. stat. 2. c. 16.

CAP. IV.

None shall be taken or imprisoned by the officers of the forest without indictment.

None shall be taken or imprisoned by the officers of the forest without indictment, &c.

ITEM, it is assented, That no man be taken nor imprisoned by any officer of the forest without due indictment, or being taken with the manner or trespassing in the forest; (2) nor shall be constrained to make any obligation or ransom to any officer of the forest in any sort against their agreement and the assise of the forest. (3) And if any do against this ordinance in any point, and thereof be attainted, he shall pay to the party damnified their double damages, and fine and ransom to the King for his offence.

Regist. 80.
Ed. 3. Stat. 1.
c. 8.

ET est assentuz qe null homme soit pris nenprisonnez par ministre de foreste sanz due enditement ou mainoeuvre ou trespassant en la foreste ne constreint de faire obligation ou redemption a aucun ministre du foreste par queconque manere encontre lour gree & lassise de foreste. Et si aucun face encontre ceste ordinance en aucun point & de ce soit atteint paie as parties endamagez leurs doubles damages & fyn & raunceon au Roi pur son malefait.

CAP. V.

Justices, &c. shall examine vagabonds, and bind them to their good abearing, or commit them to prison.

Ex edit. Rast.
Roberdismen.
Drawlatches.

ITEM, it is ordained and assented, That the statutes made in the time of King EDWARD, grandfather to our sovereign lord the King that now is, of roberdismen and drawlatches be firmly holden and kept. And moreover it is ordained and assented, to refrain the malice of divers people, feitors and wandering from place to place, running in the country more abundantly than they were wont in times past, that from henceforth the justices of assises in their sessions, the justices of peace, and the sheriffs in every county shall have power to inquire of all such vagabonds and feitors and of their offences, and upon them to do that the law demandeth. And that as well the justices and sheriffs, as the mayors, bailiffs, constables, and other governors of towns and places where such feitors and vagabonds shall come, shall from henceforth have power to examine them diligently, and to compel them to find surety of their good bearing, by sufficient mainpernors, of such as be distrainable, if any default be found in such feitors and vagabonds. And if they cannot find such surety, they shall be sent to the next gaol, there to abide till the coming of the justices assigned for the deliverance of the gaols, who in such case shall have power to do upon such feitors and vagabonds so imprisoned, that that thereof to them best shall seem by the law.

Rep. 39 Eliz.
c. 4.
2d Jac. 1. c. 38.

CAP.

C A P. VI.

ute of Winchester confirmed, and every sheriff shall proclaim it.

sur les grevouses mes-
s & compleintz qe a-
de jour en autre des
larcins homicides ar-
meilons & chivachees
& grandes compaign-
scune part du roialme
est & assentuz qe le
Wyncestre dont le te-
oit envoiez par nostre
e Roi en lan profchein
chescun countee d'En-
pur y estre proclamez
iz & gardez en toutz
& mys en bone & ha-
ecution a la plaint &
de chescun qe se sen-
ez encontre le tenour

Et au fyn qe homme
urra desore excuser par
ce de mesme lestatut est
ssentuz qe chescun vis-
ngleterre soit tenuz de
ant en propre persone
proclamation de mesme
quatre foitz lan en ches-
dred de sa baillie & par
lifs en chescune ville
sibien deinz franchises
hors.

ITEM, *for the grievous mis- 3 Ed. 1. c. 9.
chiefs and complaints that do 13 Ed. 1. Stat. 2.
daily happen of robberies, thefts, C. 1.*

manslaughters, burning of houses, and ridings in routs and great companies in every part of the realm; (2) it is ordained and assented, That the statute of Winchester (the tenour whereof is sent by our lord the King this year last past into every county of England, to be proclaimed) be holden and kept in all points, and put in good and hasty execution, at the complaint and pursuit of every man that feeleth himself griev- ed against the tenour of the same. (3) And to the intent that no man shall excuse him- self by ignorance of the same statute, it is also assented, That every sheriff of England shall be bound from henceforth in proper person to make procla- mation of the same statute four times in a year in every hun- dred of his bailiwick, and by his bailiffs in every market- town, as well within liberties as without.

C A P. VII.

in case a Nisi prius shall be granted at the suit of any of the jurors.

I encontre le meschief
ent as diverses gentz du
queux sont empanel-
tournez devant les ju-
barons de lescheqir en
par cause qe lenqueste
e pursue au fyn par ceux
arties einz mys en delay
n les jurours y perdent
nent & ascuns puis qe
de leur terre est par an

ITEM, *against the mischief that happeneth to divers peo- ple of the realm, which be impanelled and returned before the justices and barons of the exche- quer; in which case, because that the inquest is not pursued to the end by those that be parties, but put in delay from year to year, the jurors do greatly lose, and some much more than the value of their land.*

In what cases
Nisi prius may
be granted at
the request of
any of the ju-
rors to avoid
delay.

land is by year, to their great impoverishing and hindrance : (2) it is accorded, That from henceforth in all manner of pleas where a *Nisi prius* is grantable of office, after the great distress returned, and three times served before the justices against the jurors, and thereupon the parties demanded, if none of the said parties will pursue, or if the parties refuse to have a writ of *Nisi prius* in the case, then at the suit of any of the jurors that be present, a writ of *Nisi prius* shall be made and granted, and that as well in the exchequer as elsewhere, and thereupon the quarrel shall be set at an end without delay, according as the case requireth, and the law demandeth.

a lour tresgrant empovment & destruction est : dez & assentuz qe deorevant en toutes maneres plees en queux brief de prius est grantable doffice le grande destresse trois serviz & retournez deva juges devers la juree & les parties demandez si des dites parties veulle pu ou si les parties refusent brief de Nisi prius en le donques a la poursuite daucun ceux jurours qz soit p soit brief de Nisi prius f grauntez & ce auxibien e cheqir come aillours & la querele myse au fyn sar lay selonc ce qe le cas re & la ley demande.

C A P. VIII.

No subject's chator shall take any victuals or carriage without the owner's consent.

Ex edit. Pult.
No subject's
chator shall
take any victuals, or carriage without the consent of the owners, and present payment.

36 Ed. 3. c. 6.
23 H. 6. c. 14.
12 Car. 2. c. 24.

ITEM, it is accorded and assented, That the statutes or pveyors made before this time be firmly holden and kept put in good and due execution, joining to the same, That the servants of other lords and ladies, which be not com in the said statutes do from henceforth take in any part of the realm, victuals or carriages to the use of their lord ladies otherwise than they thereof may agree with the owners and sellers of the same by payment thereof to be made in hand; that the same servants shall incur the pain comprised in the said statutes of purveyors, and nevertheless the party gaged by such servants, if he will, shall have his suit at common law.

C A P. IX.

A confirmation of all statutes made against all deceits in cloths, aulnegers, &c.

A confirmation of all statutes made against deceit in cloths to be sold, and against aulnegers and collectors of the subsidy of cloths.

ITEM, for the mischief which daily happeneth upon falshood and deceit which is found in clothes vendib well coloured, as ray cloths, against the assise thereof ord before this time, (2) it is ordained and assented, That all statutes thereof made in times past, with the statutes made aulnegers and collectors of the subsidy of the said cloth holden, kept, and put in due and good execution. (3) Jo to the same, that he which from henceforth shall espy and default in any such cloth set to sale, against the assise there

dained of the said cloths, and against the form of the said statutes, shall have the third part of every such cloth defective, for his labour, by the delivery of the sheriffs, if they be present, or of the lords of the fairs and markets, and other places where such cloths shall be found defective, or of their stewards or bailiffs, or of the constables of the towns and places aforesaid, by indenture betwixt them duly to be made; which indentures shall be every year at the feast of S. *Michael* delivered into the exchequer, by them which so shall make the same delivery, to the intent there to charge the aulnegers and collectors aforesaid, by whom such defaults ought to have been searched, corrected and mended, and be not, but commonly maintained and concealed in all parts. (4) For which third part that pertaineth to the King as his forfeiture by force of the statutes made in times past, the aulnegers and collectors aforesaid, in every county and place where such cloths defective shall be found, for the pain against the said offences and concealment, shall make gree of their own money to our lord the King in his exchequer, of the value of the same third part. (5) So that as well of the same third part as of the remnant of the said cloth, the King shall be wholly answered at his said exchequer.

He that findeth defects in any cloths contrary to former statutes, shall have the third part for his labour.

Aulnegers and collectors of subsidies shall satisfy the King of that third part which the finder shall have.

5 & 6 Ed. 6. c. 6.
11 W. 3. c. 20.

CAP. X.

Where an assise shall be taken of rents issuing forth of lands in divers counties.

ITEM est ordeigne & assentuz qassise de Novele disseisine soit desore grante & fait de rent adierie due des tenementz esteantz es diverses countees a tenir en la consyne des countees deinz queux les tenementz sont & sur ce lassise prise & trie par gentz des ditz countees en meisme la manere come est fait du commune de pasture esteantz en un countee & appendante as tenementz en autre countee & ce auxi avant des disseisines faites d'avant ceste heure come de disseisines unqore affaires & qe briefs sur ceo a la pursuyte des pleintiffs soient desore faitz en la chauncellarie sanz nulle maniere de contradiction en due forme.

ITEM, it is ordained and assented, That an assise of *Novel disseisin* shall be from henceforth granted and made of rent behind due of tenements being in divers counties, to be holden in the consfine of the counties, within which the tenements be; (2) and thereupon the assise taken and tried by people of the said counties in the same manner as is done of a common of pasture being in one county, and appendant to tenements in another county; (3) and that as well of disseisins done in times past, as of disseisins yet to be done; (4) and that writs thereupon at the suit of the plaintiffs be made from henceforth in the chancery without any manner of contradiction, in a due form.

Assise of rents issuing out of lands in divers counties shall be taken in Confinio comitatus.

C A P. XI.

A repeal of the statutes 5 Rich. II. and 6 Rich. II. touching victuallers of London.

ITEM, *whereas in divers parliaments holden at Westminster, the fifth and sixth years of our said lord the King, divers ordinances and statutes of fishers of London and other victuallers were made, and also of vintners, and of the sale of wines, and thereupon the same ordinances and statutes, with the pains in them contained, were published and proclaimed throughout the realm, as in the said statutes and ordinances more plainly*

A repeal of the stat. 5 R. 2. c. 4. and 6 R. 2. c. 11 & 12. touching fishers of London.

may appear : (2) nevertheless for certain causes, at the request of the commons of *England*, thereupon specially made, it is assented and agreed, That the same ordinances and statutes of fishers, vintners, and victuallers, made in the years afore-said, shall be wholly annulled and repealed, and shall lose their effect and strength : (3) nevertheless, saving to the King all the forfeitures of wines for the time past, that to him pertaineth by virtue of the same ordinances and statutes : (4) provided always, That all the vintners and victuallers, as well fishers as other coming with their victuals to the city of *London*, shall be from henceforth under the governance and rule of the mayor and aldermen of the said city for the time being, as in time past it hath been used.

Fishers and victuallers of London shall be under the rule of the mayor and aldermen.

31 Ed. 3. stat. 1. c. 10.

ITEM combien qe nadgairs en diverses parlementz tenuz a Westm' les ans du regne nostre dit seigneur le Roi quint & sisme furent faitz diverses ordinances & estatutz des personers de Londres & dautres vitailers & auxint des vineters & la vente des vins & sur ce mesmes les ordinances & estatutz ovesqe les peynes encelles contenuz furent publiez & proclamez parmy le roialme sicome en les ditz ordinances & estatutz pluis pleinement purra apparoir nientmeyns per certains enchesons a la requeste des communes d'Angleterre sur ceo especialment faite est assentuz & accordez qe mesmes les ordinances & estatutz des personers vineters & vitailers faitz en les ans desujs ditz soient de tout anientiz & repellez & perdent leur force & vertue Sauvez nientmeins a nostre seigneur le Roi toutz les forfaitures des vins a luy appartenantes par vertue de mesmes les ordinances & estatutz quant al temps passez Purveuz toutz soitz qe toutz les vins & vitailers sibien personers come autres ove leur vitailles venantz a la dite citee de Londres soient desore desouz le governaile & reule des meir & aldermannes de la citee avant dite pur le temps esteantz come aunciennement y soleient estre.

C A P. XII.

No alien shall purchase or occupy any benefice of the church within this realm.

ITEM, *whereas late in the parliament holden at Westminster,*

ITEM come nadgairs en parlement tenuz a Westm' lan du

gne nostre dit seigneur le
 roie a la requeste des com-
 s & par assent des seig-
 temporels estoit ordeig-
 assentuz & sur grevouise
 defenduz qe nul liege le
 autre persone quelconqe
 el estat ou condition qil
 rendroit ne reseivroit de-
 navant deinz le roialme
 terre procuracie lettre
 rne ne ferme nautre ad-
 ration par endenture nau-
 unere quelconqe de nulle
 ne dascun benefice de
 esglise deinz le dit roi-
 fors tantfolement des
 nostre seigneur le Roi de
 e le roialme sanz especia-
 ce & expresse congie de
 seigneur le Roi sur cer-
 peine comprise en lestatut
 dit assentuz est ore & ac-
 par mesmes les seignurs
 elme lestatut teigne ses
 & vertue en toutz pointz.
 re ceo est auxint assentuz
 ascun alien eit purchacez
 fore purchace ascun bene-
 seinte esglise dignite ou
 & en propre persone
 ne possession dicelle ou
 ie de fait deinz mesme
 alme soit il a son oepe pro-
 al oepe dautri sanz espe-
 congie du Roi soit il com-
 n mesme lestatut & outre
 courge en toutz pointz
 peines & forfaiture come
 ordeinez par un autre es-
 fait en lan xxv. del
 luy noble Roi E. aiel no-
 ignur le Roi qore est con-
 xux qi purchacent provi-
 dabbeies ou priories. Et
 re au fyn qe tielx licences
 facent de fore enavant le
 oet & commande a toutz
 ges & autres qils lour ab-
 ent de cy enavant de luy
 dascuns tielx licences do-
 ner.

ster, the third year of the reign of
 our said lord the King, at the re-
 quest of the commons, and by the
 assent of the lords temporal, it
 was ordained and assented, and up-
 on a grievous pain prohibited, That
 no subject of the King nor other
 person, of what estate or condition
 he were, should take, neither re-
 ceive from thenceforth, within the
 realm of England, procuracy, let-
 ter of attorney, ne ferm, nor any
 other administration by indenture,
 or in any other manner, of any
 person concerning any benefice of
 holy church within the realm, but
 only of the King's subjects of the
 same realm, without the especial
 grace and express licence of our
 said lord the King, upon a certain
 pain contained in the said statute ;
 (2) it is assented and agreed by
 the same lords, That the same
 statute shall keep his force and
 effect in all points. (3) And
 moreover it is assented, That
 if any alien have purchased, or
 from henceforth shall purchase
 any benefice of holy church,
 dignity, or other thing, and in
 his proper person take posses-
 sion of the same, or occupy it
 himself within the realm, whe-
 ther it be to his own proper
 use, or to the use of another,
 without especial licence of the
 King, he shall be comprised
 within the same statute : (4)
 and moreover shall incur all
 pains and forfeitures in all
 points as is before ordained by
 another statute made the five
 and twentieth year of the noble
 King EDWARD the Third,
 grandfather to our lord the
 King that now is, against them
 that purchase provisions of ab-
 beys or priories. (5) And to
 the intent that such licences
 shall not be from henceforth
 made, the King willeth and
 com-

A confirma-
 tion of the sta-
 tute of 3 R. 2.
 c. 3.

No alien shall
 purchase any
 benefice of the
 church, or oc-
 cupy the same
 without the
 King's licence.

25 Ed. 3. stat. 5.
 c. 22.

The cardinal
of Naples ex-
cepted.

commandeth to all his sub-
jects and other, that they shall
abstain them from henceforth
to pray him for any such li-
cence to be given. (6) And
also the King himself will re-
frain to give any such licence
during the wars, except to the
cardinal of *Naples*, or to some other special person to whom
King is beholden for a special cause.

CAP. XIII.

*No man shall ride in harness within the realm, nor
launcegaies.*

No man shall
ride in harness
within the
realm, nor
with launce-
gaies.

ITEM, it is ordained and as-
sented, and also the King
doth prohibit, That from
henceforth no man shall ride in
harness within the realm, con-
trary to the form of the statute of
Northampton thereupon made,
neither with launcegay within
the realm, the which launcegaies
be clearly put out within the
said realm, as a thing prohibi-
ted by our lord the King,
upon pain of forfeiture of the
said launcegaies, armours, and
other harness, in whose hands
or possession they be found that
bear them within the realm,
contrary to the statutes and or-
dinances aforesaid, without the
King's special licence.

7 Ed. 1. stat. 1.
4 Ed. 3. c. 3.
20 R. 2. c. 1.

ITEM est ordeigne &
tuz & le Roi defen-
desoremes null homme c
che deinz le roialme arme
contre la forme de lestat
Northampton sur ce fait
vesque lancegay deinz mes
roialme les queux lanc
soient de tout oustrez dei
dit roialme come chose d
due par nostre seignur l
sur peine de forfaiture c
lancegays armures & a
harneys quelconques es n
& possession de celluy
portera desore deinz mes
roialme contre cestz estat
ordinances sans especiale
gie de Roi nostre seignur.

CAP. XIV.

*They which shall depart the realm by the King's licence,
make general attornies.*

They who shall
depart the
realm by the
King's licence
may make ge-
neral attor-
nies.

ITEM, in writs of *Præmu-
nire facias* it is assented and
agreed, That they against
whom such writs be sued, and
who at this time be out of the
realm, and be of good fame,
and have made their general
attornies before their depart-
ing, that the chancellor of *Eng-
land* for the time being, by the
advice of the justices, may
grant, that the same persons
may appear to answer, to do,

2

and

ITEM es briefs de *præ-
mire fac'* est assentuz & a
dez qe ceux vers queux
briefs sont portez & qi so
présent hors de roialme &
de bone fame & aient faitz
generalx attournes devant
departir qe le chancelier
gleterre pur le temps e
par ladvis des justices
grantir qe mesmes les per
purront apparoir & respo
& faire & rescovrir ce qe

par leur generalx at-
tanditz si avant come
cas & querelles. Et
mes qe desore enavant
par licence nostre
Roi & soient auxint
ame qe a leur requere-
haunceller par ladvis
es leur purra grantier
ur generalx attournes
ncellerie par patent du
unt leur passer a re-
ibien es ditz briefs
nre fac' come en au-
eles en quel cas toutes
expresse mention faite
& querelles de pre-
ac'. Et celle patente
purront deslors les
urnes en absence de
tres respondre pur eux
attournes desouz eux
unt quelconqe juge du
& faire & recevoir el
avant come en null
s nient contrestant
statut fait a contrairie
heures.

and to receive that thing which
the law demandeth, by their ge-
neral attornies afore said, as well
as in other causes and quarrels.

(2) And those persons which
from henceforth shall pass by
the King's licence, and be of
good fame, that at their request
the chancellor, by the advice of
the justices, may grant to them
to make their general attornies
in the chancery by the King's
patent, before their passage, to
answer as well in the said writs
of *Præmunire facias*, as in other
writs and complaints; in which
case express mention shall be
made at all times of the writs
and complaints of *Præmunire facias*.

(3) And this patent so made,
the said attornies from hence-
forth, in absence of their mas-
ters, may answer for them, and
make other attornies under
them, before any judge of the
realm, to do and receive in the
said case as much as in any o-
ther case or matter, notwith-
standing any statute made to
the contrary heretofore.

C A P. XV.

*Abolition of certain statutes made against maintenance
and champerty.*

sur la grevouise plainte
t des meyntenours des
& chaumpartours est
z & assentuz qe lesta-
aitz en les ans du regne
EDWARD aiel nostre dit
e Roi primer & quart
en lan de nostre leig-
oi qore est primer soi-
& gardez & dument
in toutz pointz.

ITEM, for the grievous com-
plaint that is made of main-
tainers of quarrels, and champer-
tors; it is ordained and assent-
ed, That the statutes thereof
made in the first and fourth
years of King EDWARD, grand-
father to our lord the King that
now is, and also in the first
year of our lord the King that
now is, shall be holden and
kept, and duly executed in
all points.

A confirmati-
on of the sta-
tutes made
against main-
tenance and
champerty.

1 Ed. 3. stat. 2.
c. 14.
4 Ed. 3. c. 21.
1 R. 2. c. 4.

C A P. XVI.

No armour or victual shall be sent into Scotland without the King's licence, upon pain of forfeiture thereof.

Ex edit. Raft.
Scotland, ar-
mour, corn,
victual, li-
cence.

15 R. 2. c. 7.
Rep. 4 Jac. 1.
c. 1.

ITEM, it is assented, and the King straitly defendeth, That from henceforth no person, alien nor denizen, of whatsoever estate or condition that he be, shall carry nor send, nor do to be carried nor sent, by land nor by sea, out of the realm of England, to any parts of Scotland, privily nor apertly, any manner of armour, corn, malt, or other victuals, or any other refreshing, upon pain of forfeiture of the same victuals, armours, and other things aforesaid, together with the ships, vessels, carts, and horses, which shall bring or carry the same, or of the very value of the same, except so it be that the King do give his special licence to the contrary. And to the intent that these ordinances be duly kept and put in due execution, it is also assented, That he which after proclamation thereof made, espy and prove that any hath offended or forfeit in any point against the form of this ordinance, shall have the third part of the said forfeitures wholly to his own use.

C A P. XVII.

The mainpernors shall satisfy the plaintiff for his delay, where the defendant keepeth not his day.

Mainprise, super-
fedeas, mainpernors.

ITEM, it is assented and accorded, That in writs of debt, trespass, and account, and in all other cases, where mainprise, and writs of *Superfedeas* be grantable, that if the persons comprised come not before the judges at a day comprised in the same mainprise, and by so much the plaintiff is put to delay and loss, the said mainpernors shall be answerable to the plaintiffs of a certain sum of silver, to be limited by the discretion and advice of the said judges, having consideration to the quality and quantity of the damages of the parties, and of the things in demand. And this ordinance of mainpernors shall endure in assay till the next parliament only. And therefore we command you, &c. Dated, &c.

Consimilia mandata Regis diriguntur singulis vicecomitibus per Angliam sub eadem data.

Statutes made at *Westminster*, Anno 8 RICH. II.
and Anno Dom. 1384.

TO the honour of God, and at the request of the commonalty of the realm of England made to our lord the King in his parliament holden at Westminster in the morrow of St. Martin,

AD honorem Dei & requi-
sitionem communitatis
regni Anglie factam domino
Regi in parlamento suo tento
apud Westm' in crastino sanc-
to Martini anno regni sui octa-
vo

n dominus Rex de assen-
latorum magnatum &
unitatis predicte quod-
atutum in eodem parla-
pro communi utilitate
gni & presertim pro bo-
ista gubernatione ac de-
ecutione communis le-
i fecit in forma subse-

*the eighth year of his reign; the
same our lord the King of the as-
sent of the prelates, great men and
commons aforesaid, hath caused to
be made in the same parliament, a
certain statute for the common pro-
fit of the said realm, and especially
for the good and just governance,
and due execution of the common
law, in the form following.*

CAP. I.

*Confirmation of the liberties of the church, and of all sta-
tutes not repealed.*

imis concordatum est &
utum quod sancta eccle-
eat omnes libertates suas
Magna Carta & Carta
esta statuta de provisori-
laboratoribus & omnia
uta & ordinationes an-
tempora edita & minime
a teneantur observentur
ationi debite demanden-
ta formam & effectum
em.

FIRST, it is ordained and enacted, That holy church have all her liberties; (2) and that the Great Charter, and the Charter of the Forest, the statutes of purveyors and labourers, and all other statutes and ordinances heretofore made and not repealed, shall be holden and observed, and put in due execution, according to the form and effect of the same. The liberties of the church, and all statutes not repealed, confirmed.

CAP. II.

That no man of law shall be justice of assise, or gaol-delivery, in his own country.

A concordatum est &
utum quod nullus homo
sit de cetero justitiarius
n vel communis deli-
nis gaolarum in pro-
pria sua & quod capita-
iarius de communi ban-
netur inter alios ad hu-
assisas capiendas & ad
liberandas. Set quo
italem justitiarium de
Regis fiat sicut pro ma-
rte centum annorum
e preteritorum fieri con-

ITEM, it is ordained and as-
sented, That no man of
law shall be from henceforth
justice of assises, or of the com-
mon deliverance of gaols in his
own country; (2) and that the
chief justice of the common
bench be assigned amongst other
to take such assises, and deliver
gaols. (3) But as to the chief
justice of the King's bench, it
shall be as for the most part of
an hundred years last past was
wont to be done. No man of law shall be justice of assise, &c. in his own country.

23 H. 4. c. 2.
33 H. 8. c. 24.
12 Geo. 2. c. 27.

C A P. III.

None of the justices or barons shall take any fee or reward but of the King, nor shall give counsel where the King is party, or in any suit depending before them.

Ex edit. Rast.
Justices, coun-
sel.

Barons of the
exchequer.

28 Ed. 3. stat. 4.
9 R. 2. c. 1.

ITEM, whereas late in the time of the noble King EDWARD, grandfather of our sovereign lord the King that now is, it was ordained, That justices, as long as they should be in the office of justices, should not take fee nor robe of any except of the King, and that they should not take gift nor reward by them nor yet by other, privily nor apertly, of any man which should have any thing to do afore them in any wise, except meat and drink, of small value: and that they should not give counsel to any great or small in things or affairs, where the King is party, or which in any wise touch the King upon a certain pain contained in the said ordinance: and in the same manner it is ordained of the barons of the exchequer, as in the said ordinance is more plainly contained: the said ordinance being rehearsed in the parliament, it is ordained and assented, That no justice of the King's bench nor of the common bench, nor none of the barons of the exchequer, as long as they shall be in the office of justice or barons, shall take from henceforth robe, fee, pension, gift, nor reward, of any but of the King, except reward of meat and drink, which shall be of no great value. And that from henceforth they shall give no counsel to any great or small in things or affairs, wherein the King is party, or which in any wise touch the King, and that they be not of any man's counsel in any cause, plea, or quarrel, hanging the plea before them or in other of the King's courts or places, upon pain of loss of their office, and making to the King fine and ransom.

C A P. IV.

The penalty if a judge or clerk make a false entry, raise a roll, or change a verdict.

The penalty
if a judge or
clerk make a
false entry of
a plea, raise a
roll, or change
a verdict.

ITEM, at the complaint of the the said commonalty made to our lord the King in the parliament, for that great disherison in times past was done of the people, and may be done by the false entering of pleas, raising of rolls, and changing of verdicts; (2) it is accorded and assented, That if any judge or clerk be of such default (so that by the same default there ensueth disherison of any of the parties) sufficiently convict before the King and his council, by the manner

and

ITEM ad querimoniam dicte communitatis factam domino Regi in parlamento de eo quod magna exheredatio retroactis temporibus pluribus de populo facta extitit & fieri poterit per falsam intimationem placitorum rasuras rotulorum et mutationem veredictorum concordatum est & statutum quod si aliquis iudex vel clericus de huiusmodi defectu dummodo per defectum illum exheredatio alterius partium subsequatur sufficienter con-

convincatur coram Rege & consilio suo per modum & formam quos idem dominus Rex & concilium suum tunc viderint fore rationabiles infra duos annos post defectum huiusmodi factum si pars gravata sit plene etatis & si infra etatem fuerit tunc infra duos annos postquam ad plenam etatem pervenerit puniatur per finem & redemptionem ad voluntatem Regis & satisfaciat parti. Et quoad restitutionem hereditatis per dictam communitatem petitam sequatur pars gravata per breve de errore vel alias juxta legem si sibi viderit expedire.

and form which to the same our lord the King and his council shall seem reasonable, and within two years after such default made, if the party grieved be of full age, and if he be within age, then within two years after that he shall come to his full age, he shall be punished by fine and ransom at the King's will, and satisfy the party. (3) And as to the restitution of the inheritance desired by the said commons, the party grieved shall sue by writ of error, or otherwise, according to the law, if he see it expedient for him.

3 Ed. 1. c. 29.
8 H. 6. c. 12.
10 H. 6. c. 4.
18 H. 6. c. 9.

C A P. V.

*What suit shall be discussed before the constable and marshal of England. **

ITEM pro eo quod diversa placita communem legem tangentia & que per communem legem deduci & discuti deberent trahuntur jam de novo coram constabulario & marescallo Anglie ad grave dampnum & inquietationem populi concordatum est & statutum quod omnia placita & querele communem legem terre tangentia & que per communem legem deduci & discuti debeant non trahantur nec teneantur de cetero coram prefatis constabulario & marescallo quoquo modo set quod curia ipsorum constabularii & marescalli habeat id quod ad dictam curiam pertinet & quod lex communis habeat id quod ad ipsam pertinet ac fiat & usitetur prout temporibus progenitorum domini Regis fieri & usitari consuevit.

AND because divers pleas concerning the common law, and which by the common law ought to be examined and discussed, are of late drawn before the constable and marshal of England, to the great damage and disquietness of the people; (2) it is agreed and ordained, That all pleas and suits touching the common law, and which ought to be examined and discussed at the common law, shall not hereafter be drawn or holden by any means before the foresaid constable and marshal, but that the court of the same constable and marshal shall have that which belongeth to the same court, and that the common law shall be executed and used, and have that which to it belongeth, and the same shall be executed and used as it was accustomed to be used in the time of King EDWARD.

What suit shall be discussed before the constable and marshal of England.

13 R. 2. stat. 2.
c. 2.

* This chapter was first published by Pulton.

De proclamando statutum predictum.

REX vicecomiti Lincoln' salutem. Quoddam statutum per no-
sensu prelatorum magnatum & communitatis regni nostri A-
ultimo parlamento nostro apud Westm' tento pro communi utiliti-
regni nostri editum tibi mittimus presentibus interclusum mand-
firmiter precipientes quod statim visis presentibus ac statuto predict-
tum illud in pleno comitatu tuo ac in civitatibus burgis villis mer-
& aliis locis in balliva tua ubi melius expedire videris publice legi
clamari facias ac quantum in te est firmiter observari.

T. R. apud Westm' xiiii. die Junii anno regni nostri et

Consilia brevia dirigantur singulis vicecomitibus Anglie.

**Statutes made at Westminster, Anno 9 RICH
and Anno Dom. 1385.**

4 Inst. 57.

OUR lord the King, at his
parliament holden at West-
minster, the Friday next after
the feast of Saint Luke, the ninth
year of his reign, of the assent of
the prelates, dukes, marquisses,
earls, barons, and commons at the
said parliament assembled, hath or-
dained and established the things
under-written.

NOSTRE seigneur le
son parlement te
Westm' le vendredy pr
apres le feste de seint L
de son regne noesime
del assent des prelatz duk
kys counts barons & com
au dit parlement assembl
denez & establiz les chc
soutz escriptz.

CAP. I.

*A confirmation of all statutes not repealed, saving of the
of 8 Rich. II. c. 3.*

All former
statutes not
repealed shall
be put in exe-
cution.

FIRST, it is accorded and
assented, That all the sta-
tutes made by the parliament
in the times of the King's no-
ble progenitors, and in his own
time, as well of sheriffs, un-
der-sheriffs, escheators, and
clerks of sheriffs, as of purvey-
ors, and all other good statutes
and ordinances not repealed by
parliament, shall be firmly
holden and kept, and due exe-
cution thereof done, according
to the effect of the same; (2)
except the statute of the justices
and barons of the exchequer
made at the last parliament,
which, because it is very hard,
and needeth declaration, the

EN primes accordez
assentuz qe touz les
faitz par parlement en
de les nobles progenitoi-
stre seigneur le Roi q
& en son temps demesne
des viscontz south-visco-
chetours & clers des v-
come des purveours &
autres bones estatutz &
nances nient repellez p-
lement soient fermem-
nuz & gardez & due ex-
ent fait solonc leffecte-
forspris lestatut des jus-
barons de lefchequer fait
rein parlement le quele
qil est trop dure & emb
declaration le Roi voet

A repeal of
the statute of
8 R. 2. c. 3.

-King

ille force tanqe soit declar-
ar parlement.

King will that it be of no force
till it be declared by parla-
ment.

CAP. II.

*ins flying into places enfranchised, and suing their lords,
shall not bar thereby.*

EM, whereas divers villains and neiffs, as well of great Villains flying
rds as of other people, as well spiritual as temporal, do into places en-
thin cities, towns, and places enfranchised, as the city of franchised,
n, and other like, and feign divers suits against their lords, and suing their
: intent to make them free by the answer of their lords :
is accorded and assented, That the lords nor other, shall
e forebarred of their villains, because of their answer in the 12 Car. 2, c. 24.

CAP. III.

*it of error or attain maintainable by him in the re-
version.*

EM accordez est & assen-
z qe si tenant a terme
: tenant en dower tenant
y dEngleterre ou tenant
taille apres possibilite de
esteint soient empledez &
it al enquest & perdont
erement de dufze ou qils
nt par defaute ou en au-
anere qe celluy a qi la re-
n de tenementz ensy per-
pendoit a temps de tiel
ient rendu ses heirs ou
sours eient action par
lataint dattaindre le dit
ent fils voillent assigner
e le serement estre falx &
t par brief de rroure si er-
y soit trove en le record
l jugement sibien en la
s ditz tenantz qensy per-
come apres lour mort &
jugement erroyne soit re-
ou tiel falx serement soit
qe le tenant qi perdi par
mer jugement sil soit en
t restitut a la possession
ementz ensy perduz ove-
res en le mesne temps &
tie pursuant a les arrera-
e la rente si aucun a luy
ie de mesmes les tene-
mentz,

ITEM, it is accorded and He in the re-
assented, That if the ver-
nant for term of life, tenant sion shall
dower, tenant by the have an attain
curtesy of *England*, or tenant in or writ of er-
tail after possibility of issue extinct, ror upon a
be impleaded, and plead to an false verdict
inquest, and lose by the oath found, or an
of twelve, or by default, or in erroneous
other manner, that he to whom judgement
the reversion of the tenements given against
so lost doth appertain at the tenant.
time of such judgement given, 2 Bulstr. 247,
his heirs or successors, shall
have an action by writ of at-
taint, to attain the same oath,
if they will assign the same oath
to be false, and also by writ of
error, if error be found in the
record of such judgement, as
well in the life of such tenants
that so do lose, as after their
death. And if such judgement
erroneous be reversed, or such
false oath be found, that the
tenant which did lose by the
first judgement, if he be in life,
shall be restored to his posses-
sion of the tenements so lost,
with the issues in the mean
time, and the party pursuing,
to the arrearages of the rent,

if any be due of the same tenements. And if such tenant be dead at the time of the judgement given upon such writs of attain and of error, that restitution of the said tenements be made to the party pursuing, with the issues after the death of the said tenant, together with the arrerages of the rent, if any to him were due in the life of the said tenant.

He in the reversion alledge-
eth that the
particular ten-
nant was of
covin with the
demandant.

II. Provided nevertheless, That although the tenant which so did lose by the first judgement be in life, and the party pursuing will alledge that the same tenant was of covin, and of assent of the demandant which recovered, that such tenements ought to be lost, that restitution of the same tenements be made to the same party pursuing, with the issues and arrerages, as afore is said, saving to such tenant his action by writ of *Scire facias*, out of the same judgement so reversed or given, or writ of attain, if he will traverse the covin and assent aforesaid, and otherwise not. And that this statute hold place of judgements to be given in time to come, and also of two judgements late given in the King's bench in two pleas of error, the one betwixt *Edmund Frances* and *Ideyn* his wife, demandants, and *Robert Westby* and other tenants of certain tenements in *Oxford*, and in the suburbs of the same town; and the other betwixt the said *Edmund* and *Ideyn* demandants, and *Richard Cornwall* and *Isabel* his wife and others tenants, of certain tenements in the same town, of which tenements the rever-

The particular
tenants reme-
dy to traverse
the covin.

mentz. Et si tiel tenant soit mort a temps del jugement rendu sur tielx briefs datteynt & derroure qe restitution de tielx tenementz soit fait a la partie pursuant ove les issues puis la mort del tenant fuisset ensemblement ove les arrerages del rent si aucun a luy fuist due en la vie de tiel tenant.

Purveu ne pur qant coment qe le tenant qensy perdi par le primer jugement soit en vie & le partie pursuant voille allegger qe mesme le tenant fuist de covine & assent del demandant qe recovery qe tielx tenementz deussent estre perduz qe restitution de mesmes les tenementz soit fait a mesme la partie pursuant ove les issues & arrerages come devant est dit savant a tiel tenant action par *Scire facias* hors de mesme le jugement ensy reverse ou rendu en le brief datainte fil voille traverser les covine & assent avant-ditz & autrement nient. Et qe cest estatut tiegne lieu des jugementz a rendre en temps avenir & auxint de deux jugementz nadgairs renduz en bank le Roy en deux ples derroure lun entre *Edmund Frances* & *Idoine* sa femme demandantz & *Robert Westby* & autres tenantz de certains tenementz en *Oxford* & le suburbe de mesme la ville & lautre entre les ditz *Edmund* & *Idoine* demandantz & *Richard Cornwayle* & *Isabell* sa femme & autres tenantz de certains tenementz en mesme la ville des queux tenementz le reversion appendoit au temps des ditz deux jugementz renduz as maistre & escolers del college de la sale del Universite d'*Oxford* a ce qest dit & qe les ditz maistre & escolers point

avoir & faire lour suite fion at the time of the said two
 ef dateinte ou derroure de judgements given did pertain
 les jugementz come to the master and scholars of
 lour semblera solonc la the college of the *University*
 de cest estatut. *Hall* in *Oxford*, as it is said,
 so that the master and scholars
 ive and do their suit by writ of attainr or of error of the
 idgements, as to them best shall seem, according to the 23 H. 8.c.3.
 f this statute.

CAP. IV.

*er a prior be dative and removable, or perpetual, the
 trial shall be by the ordinary.*

VI, whereas a plea is moved betwixt party and party in Ex edit. Rast.

King's court, which do descend to an issue upon such
 that is to say, if the matter being in plea touch any prior,
 perpetual, or dative and removable at the will of his ab-
 ercign, the one of the parties will alledge in declaration of
 rpetuity, that such prior was presented by his sovereign
 rdinary, and by him received, instituted, and inducted : Ordinary.
 dained and established, That in such case, when the par-
 endeth to such issue, that a writ be sent to the ordinary of
 ce, to certify if such prior be perpetual, or dative and re-
 le, as before, and that the matter be judged according to
 tification, and that this statute be of force betwixt the
 , as well where such prior is not party, as where he is
 and as well in pleas hanging, as in pleas hereafter to be
 nced.

CAP. V.

*fees of priests taken in the marshalsea of the King's
 house.*

Ma la reverence de Dieu **I**TEM, for the reverence of The fees of
 eint esglise accordez est God, and of holy church, priests, taken
 li qe prestres & autres it is accorded and established, in the mar-
 de seint esglise pris en la That priests and other people shalsea of the
 alcie de hostel nostre of holy church, taken in the King's house.
 le Roy paient tielx fees the marshalsea of the King's house,
 les lais gentz resonable- shall pay such fees as lay-peo-
 aient & nient plus. ple pay, reasonably, and no
 more.

ute made Anno 10 RICH. II. and Anno Dom.
 1386.

OW ye, that at the reverence of God, and for to nourish peace, Ex edit. Rast.
 vity, and good accord, in all parts within the realm of Eng-
 nd especially for the common profit and ease of our people and
 vernance of the same, our realm of England, which we sove-
 reignly

reignly desire, of the assent of the lords and commons assembled in our parliament holden at Westminster the first day of October last past, we have done to be made a statute, as well for the amendment of the said governance, as for the common profit of the said realm in the form following.

C A P. I.

The King's commission to the chancellor and others to examine into the state of his courts, revenues, grants, and officers fees.

Ex edit. Rast.

Chancellor,
treasurer,
keeper of the
privy seal.

WHEREAS our sovereign lord the King perceiveth, by the grievous complaint of the lords and commons of his realm, in this present parliament assembled, That his profits, rents, and revenues of his realm, by singular and insufficient counsel and evil governance, as well of some late his great officers, as of divers other persons being about his person be so much withdrawn, wasted, elained, given, granted, aliened, destroyed and evil dispended, that he is so much impoverished and void of treasure and goods, and the substance of the crown so much diminished and destroyed, that his estate and the estate of his house may not honourably be sustained as pertaineth, nor the wars, which daily abound and environ his realm, maintained nor governed without great and outrageous oppressions and importable charges of his said people, and also that the good laws, statutes, and customs of his said realm (which he is bounden to hold and observe) be not, nor have not been duly holden nor executed, nor full justice nor right done to his said people: whereby many disherisons, and divers great mischiefs and damages be happened, as well to the King as to his said people, and to all his realm: whereof he, to the honour of God, and for the weal of him and of his realm, and for the quietness and relief of him and of his people (who have been in divers manners greatly charged before this time) willing with the grace of God against such mischiefs to provide a good and due remedy, hath of his free will, and at the request of the lords and commons afore said, ordained, made, and assigned, his great officers, that is to say, the chancellor, treasurer, and keeper of his privy seal, such as he holdeth good, sufficient, and lawful for the honour and profit of him and of his realm. And moreover of his authority royal, certain knowledge, good grace, and free will, and by the advice and assent of the prelates, lords, and commons afore said, in the full parliament, in aid of good governance of his realm, and good and due execution of his said laws, and in relief of the estate of him and his said people in time to come, upon the full trust that he hath of good advisement, wit and discretion of the honourable fathers in God *William* archbishop of *Canterbury*, and *Alexander* archbishop of *York*, his dear uncles *Edmund* duke of *York*, and *Thomas* duke of *Gloucester*, the honourable fathers in God, *William* bishop of *Winchester*, *Thomas* bishop of *Exeter*, and *Nicholas* abbot of *Waltham*, and his well-beloved and faithful *Richard* earl of *Arundel*, *John* lord of *Cobham*, *Sir Richard* *Lescrop*, and *John* *Devereux*, hath ordained, assigned,

assigned, and deputed them by his letters patents under his great seal, to be of his great and continual council from Saint *Edmund's*, even the martyr, by a whole year next following after the date of the said letters patents, to survey and examine with the said great officers, that is to say, the chancellor, treasurer, and keeper of his privy seal, as well the estate and governance of his house and of all his courts and places, as of all his realm, and of all his officers and ministers, of whatsoever estate, degree, or condition they be, as well within the said house as without, and to enquire and take information by all the ways which to them best shall seem, of all the rents, revenues, and profits that to him pertaineth and be due, and ought to pertain and be due, as well within the realm as without, in any manner way or condition, and of all manner gifts, grants, alienations, and confirmations, made by him of lands, tenements, rents, annuities, profits, revenues, wards, marriages, escheats, forfeitures, franchises, liberties, voidances of archbishopricks, bishopricks, abbies, priories, farms of houses and possessions of aliens, and of all other possessions, sums of money, goods and chattels, and of all other things, and to what persons, and for what cause, and how, and in what manner, and namely of those persons, the which have taken without desert, and also of all manner of revenues and profits as well of his said realm, as of lands, seignories, cities, towns, castles, fortresses, and all manner his other possessions, as well on this side the sea as beyond, and of the profits and emoluments of his money and bullions, and of the taking of prisoners, towns, and places, ships, carracks, goods, and ransoms of war, by land and by sea, and of benefices and other possessions of cardinals rebels, and all other aliens, and also of carrying of money out of the realm by the collectors of the pope, procurators of the cardinals, Lumbards, and other persons, as well aliens as denizens, and of the emoluments and profits coming and rising of the customs and subsidies, of wools, leather, and woofels, and of small customs and other subsidies of clothes, wines and all other merchandises, and of *dismes* and *quinzimes*, and of all other subsidies and charges granted by the clergy and commons, and also of the receipts, profits, and payments of the hanaper of his chancery, and of all other his receipts from the time of his coronation till now of fees, wages, and rewards of officers and ministers more and less, also of annuities and other rewards, and also gifts and grants made to any persons by him and by his father and his grandfather in fee, or for term of life, or in any other manner, and if gree or payment be to them thereof made, and by whom, and how, and in what manner, and also how much they have released or given to officers or other to have their payments, and to what persons, how and in what manner, and of lands, tenements, rent, revenues and forfeitures, bargained and sold to the prejudice and damage of him and of his crown, and by whom, and to whom, how, and in what manner, and of the sale or bargain of talies and patents of singular profit as well in the time of his said grandfather, as in his own time, and

reignly desire, of the assent of the lords and commons assembled in a parliament holden at Westminster the first day of October last, we have done to be made a statute, as well for the amendment of the said governance, as for the common profit of the said realm in the form following.

C A P. I.

The King's commission to the chancellor and others to examine into the state of his courts, revenues, grants, and office fees.

Ex edit. Rast.

Chancellor,
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WHEREAS our sovereign lord the King perceiveth, by the grievous complaint of the lords and commons of his realm in this present parliament assembled, That his profits, rent and revenues of his realm, by singular and insufficient counsel and evil governance, as well of some late his great officers, as of diverse other persons being about his person be so much withdrawn, wasted, elained, given, granted, aliened, destroyed and evil dispended that he is so much impoverished and void of treasure and good and the substance of the crown so much diminished and destroyed, that his estate and the estate of his house may not honourably be sustained as pertaineth, nor the wars, which daily about and environ his realm, maintained nor governed without great and outrageous oppressions and importable charges of his said people, and also that the good laws, statutes, and customs of his said realm (which he is bounden to hold and observe) be nor have not been duly holden nor executed, nor full justice nor right done to his said people: whereby many dishonours, and divers great mischiefs and damages be happened, as well to the King as to his said people, and to all his realm: whereof he, the honour of God, and for the weal of him and of his realm and for the quietness and relief of him and of his people (who have been in divers manners greatly charged before this time) willing with the grace of God against such mischiefs to provide a good and due remedy, hath of his free will, and at the request of the lords and commons aforesaid, ordained, made, and assigned his great officers, that is to say, the chancellor, treasurer, and keeper of his privy seal, such as he holdeth good, sufficient, and lawful for the honour and profit of him and of his realm. And moreover of his authority royal, certain knowledge, good grace and free will, and by the advice and assent of the prelates, lords and commons aforesaid, in the full parliament, in aid of good governance of his realm, and good and due execution of his said laws, and in relief of the estate of him and his said people in time to come, upon the full trust that he hath of good advisers, wit and discretion of the honourable fathers in God *William* archbishop of *Canterbury*, and *Alexander* archbishop of *York*, his dear uncles *Edmund* duke of *York*, and *Thomas* duke of *Gloucester* the honourable fathers in God, *William* bishop of *Winchester*, *Thomas* bishop of *Exeter*, and *Nicholas* abbot of *Waltham*, and his well-beloved and faithful *Richard* earl of *Arundel*, *John* lord of *Cobham*, Sir *Richard* *Leſtreſſe*, and *John* *Devereux*, hath ordained assigner

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and

and how, and by what persons, and also of all his jewels and goods, which were his said grandfather's at the time of his death, and what, and of what price or value, and where they were become, and how and in what manner, and of all chevances and profits in any-wise made to his use by any manner of persons, and of all losses and damages which he hath had and sustained by the death of his said grandfather, and by what persons, how, and in what manner; and of all letters of pardons general and especial, and also of the sum of money payments, and manner of the expences, as well of his said grandfather, as for the salvation and defence of his realms, land and tenements, cities, towns, castles, fortresses, and other places on the sea, and beyond, done and received by any persons, soldiers as other, and by any manner way, and how, and in what manner, and how much they have given to him, and of the payments, and of the concealments of his rights and of his lands, and by whom, how, and in what manner, and of maintenance and takers of quarrels, embracers of enquests, and of ministers made by brocage and of their broggers, and of them that have taken the said brocage, and how, and in what manner, and also of all the defaults and offences that be done or committed well in his said house and his other courts and places as well as in all other places within his realm of *England*, by any manner of persons, whereby the profit of him and of his crown have been impaired and diminished, or the common law delayed or delayed, or other damage to him happened: giving full power and authority, committing by the same of his royal authority, and by the advice and assent aforesaid, to the said counsellors, and to the said officers, and to the said great officers, full power and authority general and special, to enter his said house, and all the offices and places of the same, and all his other courts and places as often as they shall please, and to do come before them (where and when they shall please) the rolls, records, and other muniments and evidences such as them liketh, and all the defaults, waists, and errors found in his said house, and also all the defaults and misprisions found in the other courts, places, officers, and ministers as well as in all the other articles and points above named, and to amend them, and also all the other defaults, misprisions, excesses, frauds, deceits, extortions, oppressions, damages, and grievances, and prejudice, damage, and distress of him and of his crown, and of the estate of his realm in general or special, above not specially expressed, to amend, correct, repair, redress, reform, and to give due and good estate and establishment, and also to hear and receive all manner of complaints and quarrels of all his subjects which will sue and complain them as well for our said sovereign lord the King as for themselves, before the said counsellors, officers, of all manner of distresses, oppressions, injuries, wrongs, and misprisions, which may not be well amended nor remedied by the course of the common law of the land before us, and thereof to give and make good and due remedy and satisfaction, as well for our said sovereign lord the King, as for our said liege people, and all the things aforesaid, and every of

ully to discufs, and finally to determine, and thereof to make full execution according as to them beft fhall feem, for the honour and profit of our faid fovereign lord the King, and of his eftate and reintegration of the right and profits of his faid crown, and better governance of the peace and laws of this land, and relief of his faid people : willing alfo, That if diversity or variance of opinion rife or happen between the faid counfellors and officers, that the judgement and opinion of the greater party have force and hold place, as in the faid letters patents is fully contained : whereupon our faid fovereign lord the King, willing that the corrections and redreffes of the defaults and mifprifions aforefaid may be for the profit of him and of his faid realm in the form aforefaid, put in due execution without being broken or difturbed by any, of the affent of the lords and commons of his faid realm in this prefent parliament, hath ordained and eftablifhed, That every one of his faid lieges greater or lefs, of whatfoever eftate or condition that he be, fhall be attending and obedient in how much that toucheth the articles aforefaid, and every dependence thereon, to the faid counfellors and officers in the form aforefaid. And that every perfon that fhall be judged before them, as convict of any of the defaults or mifprifions aforefaid, fhall take and receive without debate making fuch correction as fhall be judged to him by the faid counfellors and officers in the form aforefaid. And that no perfon, of what eftate or condition that he be, greater or lefs, fhall give to the King privily nor apertly, counfel, exhortation or motion, whereby the King fhould repeal their power within the time aforefaid, in any point, or do any thing contrary of his faid grant, or of any of the faid articles. And if any perfon, of what eftate or condition that he be, do againft the ordinance and eftablifhment aforefaid, or procure or do any thing in any manner, whereby the faid counfellors be difturbed in any point upon the exercife of their faid power, or which exciteth or procureth our faid fovereign lord the King to do or command any manner of thing, whereby the power of the faid counfellors and officers, or the execution of their faid judgement, and awards to be made in the fame, be in any point aforefaid defeated, and that duly proved by good and true witneffes, which be notoriously holden of good fame and condition, not fufpected, covenably examined before the King and the counfellors and officers aforefaid, any of the juftices of the one bench or the other taken to them, or other difcreet and learned in the law, fuch as please the faid counfellors and officers, fhall have fuch penance ; that is to fay, at the firft time that he fhall be fo convict, he fhall forfeit all his goods and chattels to the King, and neverthelefs he fhall be imprifoned at the King's will, and if any fuch perfon be duly attainted in the form aforefaid, of counfel, excitation or motion given to the King, or of doing the contrary of his faid grant, as afore is faid, albeit the King doth nothing by fuch counfel, excitation, or motion, yet he fhall have fuch penance as afore. And if it happen (as God defend) that he fo bear him afterward, that he

be another time attained (as afore) of any of the said or misprisions, then the same person so convict or attaint have at the second time the penance of life and of m saving always the dignity pontifical and privilege of holy and clerical in all things aforesaid. And that this statute force and effect during the said commission only. And fore we command thee, That thou do the said statute of be cried and published in cities, boroughs, towns, fairs, and other notable places within thy bailiwick within fi and without, according to the tenor and form of the Dated, &c.

Rep. 21 R. 2.
c.2.

Autiels mandements sont envoiez a toutz les viscounts d'Engle

Statutes made at *Westminster*, Anno 11 RIC
and Anno Dom. 1387.

OUR lord the King heartily desiring that the peace of his land be well holden and kept, and his faithful subjects nourished and governed in quietness and tranquillity in all parts within his realm of England, to the honour of God, and for the causes aforesaid, by the assent of the lords and commons of his realm of England, assembled at his parliament holden at Westminster, the morrow of the Purification of our Lady, the eleventh year of his reign, doth make and establish certain statutes, and also doth grant certain graces and pardons in the form underwritten.

NOSTRE redoute le Roy desirant entierement de coer qe de sa terre soit bien te gardez & ses foialx li subgitz nurrez & gover quiete & tranquillite touz deinz son roialme si ad nure de Dieu & pur les suisditz de lassent des si & communes de son 1 assemblez a son parlem nuz a Westm' lendemai Purification de nostre lan de son regne unzist & establi certains estat ordinances & auxint & otroiez certains gr pardons en la fourme c escriptz.

CAP. I.

The archbishop of York and others attainted of high t

Ex edit. Raft.

FIRST, our sovereign lord the King, amongst other petition requests to him made by the commons of his realm in the parliament, hath received one petition in the form following:

Petition 1.

ITEM, the commons pray, That whereas at the last ment for cause of the great and horrible mischiefs and which another time were fallen by evil governance, whi about the King's person by all his time before, by *Alexan* archbishop of York, *Robert de Vere* late duke of Ireland,

de la Pole late earl of Suffolk, Robert Tresilian, late justice, and Nicholas Brembre, knight, and other their adherents and other, whereby the King and all his realm were very nigh to have been wholly undone and destroyed, and for this cause, and for to eschew such perils and mischiefs for the time to come, a certain statute was made in the same parliament, and a commission to divers lords, for the weal, honour, and safeguard of the King, his regalty, and of all the realm; the tenor of which commission and statute hereafter followeth.

RICHARD, by the grace of God King of England and of France, and lord of Ireland, to all them that shall see or hear these letters, greeting. We have certainly conceived by the grievous complaint of the lords and commons of our realm, in this present parliament assembled, that our profits, rents and revenues of our said realm, &c. and so forth, as in the statute next going before till these words.

That the judgement and opinion of the greater part have force, and hold place, and then thus: Commanding and charging all prelates, dukes, earls, barons, steward, treasurer, and comptroller, and all other officers of our house, justices of the one bench and of the other, and all our other justices, barons, and chamberlains of the exchequer, sheriffs, scheators, mayors, bailiffs, and all our other officers, ministers and liege people, that they be attending, obedient, counselling, and aiding, as often, and by the manner as our said counsellors and officers, shall do them to wit, on our behalf. In witness whereof we have done to be made these our letters patens. Dated under our great seal at Westminster, the ix. day of November, the tenth year of our reign.

WHEREAS our sovereign lord the King perceiveth, &c. as in the same last statute in the tenth year, till the end of the same statute, and then thus: And thereupon the said Alexander, Robert, Michael, Robert, and Nicholas, and their said adherents, seeing that their said evil governance should be perceived, and they by the same cause the lightlier to be punished by good justice to be done, and also their evil deeds and purposes before used to be disturbed by the said lords assigned by commission, as afore, made, conspired, and purposed divers horrible treasons, and evils against the King, and the said lords so assigned, and against all the other lords and commons, which were assenting to the making of the said ordinance and commission, in destruction of the King, his regalty, and all his realm: whereupon Thomas duke of Gloucester, the King's uncle, and son to King Edward, whom God assoil, Richard earl of Arundel, and Thomas earl of Warwick, perceiving the evil purposes of the said traitors, did assemble them in forcible manner for the safeguard of their persons, to shew and declare the said treasons and evil purposes, and thereof to set remedy, as God would, and came to the King's presence, affirming against the said five traitors appealed of high treason by them done to the King and to his realm, upon which appeal, the King our sovereign lord adjourned the said parties till his present parliament, and did take them in his safe protection, *Protestation*

ITEM, That none which hath been of the retinue, company, force, aid, council, assent, or adherence of them that be attainted or judged in this present parliament, or of any of them (except those before excepted) be impeached, molested, nor grieved: the suit of the King nor other party, nor in other manner, be cause of any assembly, riding, beating, levying of penons or banners of discomfiture, death of a man, imprisonment of a person, taking, leading away, or with-holding of horses or other beasts, taking or carrying of goods, harness, armour, chattel or other moveables, burnings of houses or of other possessions or of any goods, assault, battery, robberies, thefts, coming or tarrying with force and arms, or armed in the King's presence at the parliament, councils, or elsewhere, raising of people, or exciting of the people to rise forcibly and against the peace, by letters, commissions, or other deeds against the intent or pursuit of the said duke of Gloucester, earls of Derby, Arundel, Warwick and marshal, which intent and pursuit be declared by their appeal in this present parliament, or of any other thing that may be furnished that they or any of them ought to have done or purposed to have done from the beginning of the world, touching any of the matters against the intent and pursuit aforesaid declared in the said appeal. Which petition of the assent aforesaid we have granted in all points, and thereof we will and grant full pardon and remission to them and every of them, to whom it pertaineth, according to the continue of the same petition.

Also, we have received two other petitions delivered to us in the same parliament by the same commons, in the form following :

Petition 3.

ITEM, That the appeals, pursuits, accusements, process, judgments, and executions made and given in this present parliament be approved, affirmed, and established as a thing duly made for weal and profit of the King our sovereign lord, and of all the realm, notwithstanding that the lords spiritual and their procurators did absent them out of the parliament at the time of the said judgements given, for honesty and salvation of their estate, as is contained in a protestation by the same lords spiritual and procurators delivered in this present parliament. And that by imagination, interpretation, or any other motion, none of the same be reversed, broken or adnulled in any manner. And whosoever that make pursuit to break, adnull, or reverse any of the said points, which pursuit is of record, he shall be judged and have execution as a traitor, and enemy of the King and his realm. Provided always, That this acceptance, approbation, affirmance and establishment touching the assemblies, appeals, pursuits, accusements, process, judgements, and executions aforesaid, have and hold force and virtue in these cases so fallen and happened or declared only, and that they be not drawn in example nor in consequence in time to come, nor that the said commission made at the last parliament, be drawn in example nor consequence hereafter, but as much as is done touching the said matters shall stand firmly for the time

time that is past, seeing they were so profitable to the King, and sustenance and maintainance of his crown, and salvation of all the realm, and made of so great necessity. And though that divers points be declared for treason in this present parliament, other then were declared by statute before, that no justice have power to give judgement of other case of treason, nor in any other manner, than they had before the beginning of this parliament.

ITEM, That none of the traitors attainted by the appeal afore-
said, or accusations of the commons, which be yet in life, shall be reconciled nor restored to the law by pardon, nor in other manner: *saving the grace and pardon which is made in this present parliament*: and if any do pursue to reconcile them, or to make them to have pardon, or to restore them to the common law in any manner, and the same be duly and openly by record proved, he shall be judged and have execution as a traitor, and enemy of the King and of the realm: and if any charter of pardon, or licence to repair into *England*, or other grant be made to the said traitors, or any of them to be restored to the common law, or to abide in *England*, or in other place than is limited to them in this present parliament, that all such charters and grants be void and of no value. And if any of the said traitors come again, or hold him in *England* or elsewhere within the power and seignior of the King or any of his lieges by any way, or if any of the said traitors, which be limited to abide in certain places, be found out, or pass the place to him limited, as is afore-
said, it shall be done of him as of a traitor and enemy of the King and of the realm. Which petitions we of the assent afore-
said have granted in all points, and we will that the same our grant shall stand firm and stable, according to the continue of the said petitions without blemish for ever.

Petition 4.

Rep. 11 R. 2.
C. 12.Revived 1 H. 4.
C. 3. & 4.
H. 4. C. 9.
2 H. 4. C. 12.

CAP. II.

Clause to prevent fraudulent conveyances of their estates.

ITEM, it is ordained and established, That in the right of Forfeiture. the same forfeitures of those that be judged in this present parliament, before the xx. day of this present month of *March*, that the King have the forfeiture of all the castles, seigniories, reversions, lands, tenements, fees, advowsons, franchises, liberties and all other possessions, which were to *Alexander* late archbishop of *York*, *Robert de Veere* late duke of *Ireland*, *Michael de la Pole* late earl of *Suffolk*, *Robert Tresilian* knight, *Nicholas Brembre* knight, *John Blake*, and *Thomas Uske*, or to any of them the first day of the last parliament, which was the first day of *October*, the tenth year of the King that now is, or after hitherunto, and which any other had of the gift, grant, and feoffment of the said archbishop of *York*, duke of *Ireland*, earl of *Suffolk*, *Robert Tresilian*, *Nicholas Brembre*, *John Blake*, and *Thomas Uske*, or any of them, or of the gift, grant, or feoffment of any other by bargain or in any other manner, to the use of the same archbishop of *York*, duke of *Ireland*, earl of *Suffolk*, *Robert Tresilian*, *Nicholas*
Vol. II. U Brembre,

Ex edit. Raft.

Brembre, John Blake, and Thomas Uske, or any of them, the said first day of the last parliament, or after hitherunto, be forfeit to the King, and that all the goods and chattels which were to the said archbishop of York, duke of Ireland, earl of Suffolk, Robert Tresilian, Nicholas Brembre, John Blake, and Thomas Uske, or any of them, the seventeenth day of November last passed, or after hitherto, shall be also forfeit to the King. And if any of the said archbishop, duke, earl, Robert, Nicholas, John and Thomas have dimissed them of any of their goods and chattels by colour of any feigned gift or sale, or payment of debt not due, or in other manner by fraud or collusion, after the said first day of the last parliament till the said xx. day of March, such goods and chattels shall be forfeit to the King. And also that all the lands, tenements, reversions, fees, advowsons, franchises, liberties, and all other possessions, which were to R. Belknap, John Holt, John Cray, and William Burgh knights, or to any of them the first day of August last past or after hitherunto and which any other had of the gift, grant, or feoffment of the said Robert Belknap, John Holt, John Cray, and William Burgh, or of any of them, or of the gift, grant, or feoffment of any other by bargain or in other manner to the use of the same Robert Belknap, John Holt, John Cray, and William Burgh, or of any of them, the said first day of August, or after hither unto, shall be forfeit to the King. And that all the goods and chattels which were to the said Robert Belknap, John Holt, John Cray, and William Burgh, or to any of them, the sixth day of the said month of March, on which day they were judged, or afterward hither unto, shall be also forfeit to the King. And if any of the said Robert Belknap, John Holt, John Cray, and William Burgh have dimissed them of any of their goods and chattels, by colour of any feigned gift or sale, or payment of any debt not due, or in other manner by fraud or collusion after the said first day of August till the said sixth day of March, such goods and chattels shall be forfeit to the King. And also that all the lands and tenements, reversions, fees, advowsons, franchises, liberties, and all other possessions, which were to Roger Fulthorp knight, and John Lokton, or any of them, the xxv. day of the said month of August, or afterward hitherunto; and which any other had of the gift, grant, or feoffment of the said Roger Fulthorp, and John Lokton, or any of them, or of the gift, grant or feoffment of any other by bargain or in other manner to the use of the same Roger and John, or of any of them, the said xxv. day of August, or afterward hitherunto, shall be forfeit to the King, and that all the goods and chattels, which were to the said Roger and John, or to any of them, the vi. day of the said month of March, at which day they were judged, and afterward hitherunto, shall be also forfeit to the King. And if any of the said Roger Fulthorp, and John Lokton, have them dimissed of any of their goods and chattels by colour of feigned gift or sale, or payment of any debt not due, or in other manner by fraud or collusion after the said xxv. day of August till the said vi. day of March, such goods and chattels shall be forfeit to the King.

CAP. III.

be estates of the bishop of Chichester and others also forfeited.

[TEM, it is ordained and stablished, That the King shall ^{Forfeiture.} have the forfeiture of all the castles, feignories, reversions, lands, tenements, fees, advowsons, franchises, liberties and all other possessions, which were to *T. Bishop of Chichester*, *Simon Hurley knight*, *John Bechaump of Holt knight*, *James Berners knight*, and *John Salesbury knight*, also judged in this parliament, or which were to any of them, the said first day of *October*, the said tenth year, or which any other had of their gift, grant, feoffment, or of any of them, or of the gift, grant, or feoffment, of any other by bargain, or in other manner to their use, or to the use of any of them, the said first day of *October*, after, till the day that they were judged in this parliament, and that all the goods and chattels, which they or any of them had the xvii. day of *November* last past or after, till the said day of their judgement, shall be also forfeit to the King, and if any of them hath dismissed him of his goods and chattels by colour of any feigned gift or sale, or payment of debt not due, or in other manner, by fraud and collusion, after the said first day of *October*, the said tenth year, till the day that they were judged in this present parliament, they shall be also forfeit to the King, and if any rent charge be demanded of the said castles, feignories, lands, and tenements in demean or reversion so forfeit, as before is said, and the said rent were granted not to the intent to be paid by the grantor effectually, nor after the purport of the said grant, that in such case the castles, feignories, lands and tenements so forfeit, shall be thereof discharged, and such grant of no value.

CAP. IV.

be penalty of concealing any part of the said estates after proclamation made. Estates possessed by a traitor in another's right excepted.

AND moreover it is ordained and stablished, That proclamation shall be made in the counties, that every person, that hath any of the goods and chattels so forfeit as afore is said, to whose hands such goods and chattels shall come, that he within ii. months after the proclamation so made, shall come and certify the same to the King's council, and if he do not, he shall be thereof duly attainted, he shall be holden to answer to the King, and the same goods and chattels so concealed or the price of the same, and besides that, as much as the same goods and chattels so concealed be worth, and he shall also have one year's imprisonment. Provided always that if any of the said persons adjudged, be or were seised or in possession of any castles, feignories, lands, tenements, reversions, fees, advowsons, franchises, liberties, or other possessions by feoffment, gift, or

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grant of any person, to the use and profit of any other, than to the use and profit of the said persons adjudged or of any of them, that such castles, lands, tenements, reversions, fees, advowsons, franchises, liberties, and any other possessions shall in no manner be forfeit, nor that this ordinance or establishment of forfeiture shall extend to them.

CAP. V.

Issues in tail, and jointures of women, also excepted.

AND moreover it is ordained and stablished, That the King shall have all the said forfeitures, as well within franchises as without: saving the right of the lords of the said franchises, if any right to them pertain in this behalf. And it is not the intent of the King, nor of the lords and commons of the parliament, that by force of this statute the issues in tail, or they in reversion or in remainder, or women of their heritage or jointure with their husbands of gifts, grants, and feoffments made before the said time limited of forfeiture, shall be barred or foreclosed of their right, when their time shall come according to the common law.

CAP. VI.

Penalty of petitioning the King for any grant of the said estates during the war.

ITEM, That all manner of seignories, lands, tenements, rents, services, goods, and possessions, and all manner of chattels forfeit to the King, because of judgements given against the persons adjudged in this parliament, and also all other lands and tenements, escheats, forfeitures, wards, marriages, and other profits which be, or shall come in the King's hand by any cause, shall abide wholly in the King's hand, during the wars, to acquit his debts, and in aid to maintain his estate, and also in ease and supportation of his poor commons of the realm, notwithstanding any warrant or grant made to any before this time, and that no great man nor small in the King's house, nor about the King's person, nor no other of what estate or condition that he be, privily nor apertly be so hardy to take of the King's gift any of the said seignories, lands, tenements, rents, services, goods, possessions, escheats, forfeitures, wards, marriages, castles, or profits, or any other profits and revenues, during the wars (as afore) upon pain to forfeit the double to the King, and repeal of the same thing so demanded, and to be ransomed and imprisoned at the King's will, *except offices and bailliwicks, benefices and advancements of holy church. And except that that the King hath given in this present parliament:* so that in the right of the forfeitures judged in this present parliament, if any pretend to have right or interest to the same, he shall sue to the council, if him so liketh, and right shall be done to him, and that the King's great officers, by advice of other lords of the council, shall have power to sell parcel of the said forfeitures by their

Forfeitures.



liferetion, and that the gift and grant to be made upon
le shall be firm and stablished.

CAP. VII.

*merchants aliens and denizens may buy and sell within
this realm without interruption.*

M come par estatut fait
verwyk lan du regne le
DWARD tierce lai el no-
gnur le Roy qoreft noe-
rdeigneu feult & esta-
toutz merchantz aliens
zeins & toutz autres &
de eux de quel estat
dition qils soient qi a-
ou vendre veuillent blees
oir de pois chares pes-
toutz autres vivres &
leins draps merces mer-
ces & tout manere dau-
ofes vendables de quele
ls vieignent par foreins
denzeins a quel lieu qi
soit il citee burgh ville
meer feir marchee ou
ieu deinz mesme le roi-
einz franchise ou dehors
lent franchement & sanz
ber vendre a qi que leur
xibien as foreins come
zeins forpris les ene-
nostre seigneur le Roi &
roialme. Et si par cas
bance soit faite a nul
nt alien ou deinz ein ou
ur la vente des tieles
en citee burgh ville port
r ou autre lieu qe fran-
t & les mair baillifs ou
qont garde de la dite
se requis par les ditz
ntz ou autre dent faire
& il ne le face & de ce
sint soit la franchise pris
nayne le Roy & nient-
soit tenuz lui & les au-
averont fait celle de-
nce contre cest estatut
dre & restorer au dit
nt ses damages qil ave-
ra

ITEM, *whereas by a statute* 9 Ed. 3. stat. 1.
made at York, the ninth year c. 1.
of King EDW. III. grandfather
of the King that now is, it was
ordained and established, That all
merchants, aliens and denizens, Merchants
and all other and every of them, may buy and
of what estate and condition they sell wares, vic-
be, which will buy or sell corn, tuals, and all
wine, avoir de pois, flesh, fish, other commo-
and all other victuals, wool, cloths, dities within
wares, merchandises, and all other the realm,
things vendible, from whencesoever without dis-
they come, by foreigners or by de- turbance.
nizens, to what place that it be,
be it city, borough, town, port of
the sea, fair, market, or other
place within the same realm, with-
in franchise or without, may freely,
and without disturbance sell the
same to whom please them, as well
to foreigners as denizens, except 9 H. 3. stat. 1,
to the enemies of the King and of c. 30.
his realm. (2) And if percase
disturbance be done to any mer-
chant, alien or denizen, or other,
upon the sale of such things in city,
borough, town, port of the sea, or
other place which hath a franchise,
and the mayor, bailiffs, or other,
that having the keeping of the said
franchise be required, by the said
merchants or other, thereof to
make remedy, and do not, and
thereof be attainted, the franchise
shall be taken into the King's
hand; (3) And nevertheless,
he and other which have done
this disturbance against this sta-
tute, shall be bound to yield and
restore to the said merchant his
double damages, which he hath
sustained by this occasion. (4) And
if such disturbance be done to such

What penalty shall be inflicted upon them which do disturb merchants to sell their commodities.

merchant, or to other, in towns and places where no franchise is, and the lord, if he be present, or his bailiff, constable, or other wardens of the said towns and places, in absence of the lords thereof, required to do right, do not, and thereof be attainted, they shall yield to the plaintiff his double damages, as afore is said; (5) and the disturbers in the one case and the other, as well within franchise as without, if they be attainted, shall have imprisonment of one year, and nevertheless be ransomed at the King's will. (6) And that no alien nor denizen upon the same pains be disturbed, but that he may freely buy the things above named in the places aforesaid, and carry the same where pleaseth him to his own use, or to the profit of the King, the great men and the people of the realm, (7) except that the merchants aliens shall carry no wines out of the realm, as is contained in their charter; (8) and that the said things be holden, kept, and performed in every city, borough, town, port of the sea, and other places within the said realm, notwithstanding any charters of franchise to them granted to the contrary, nor usage, custom, nor judgements given upon their charters, usages, nor customs which they can alledge; (9) which charters, usages and customs (if any there were) the said King the grandfather, the prelates, earls, barons, and great men and commons aforesaid, do hold of no force, as things granted, used, and accustomed to the damage of the King, the prelates, earls, barons, and great men of his realm, and oppression of the commons.

Merchants aliens shall carry no wine out of the realm.

A reservation of customs.

II. Saving always to the King, and to other the customs due of the said merchandises. (2) And also that the chancellor, treasurer, and justices

ra suffert par celle enchaïson au double. Et si tielle destourbance soit faite as tielx merchantz ou as autres es villes ou lieux ou franchise nest & le seigneur fil soit present ou son baillif constable ou autre gardein des ditz villes & lieux en absence des seignurs ent requis de faire droit ne le facent & de ce soient atteintz rendent les damages au pleintif au double auxi come desuis est dit & les destourbers en lun cas & en l'autre auxihen deinz franchises come dehors fils soient atteints eient la prison dun an & jameins soient reintz a la volente le Roi. Et qe null alien ne deinz ein sur mesmes les peins soit destourbe qil ne puisse franchement achatre les choses susnommez es lieux susditz & carier la ou luy plerra a son oepe demesne ou al profit du Roi & des grantz & du poeple du dit roialme forpris qe les merchantz aliens ne amesnent vins hors de mesme le roialme come est contenu en lour chartre & qe les ditz choses soient tenuz gardez & perfournez en chescun citee burgh ville port du meer & autre lieu deinz le dit roialme nient contrecsteant chartre de franchise a eux grantee a contraire ne usage ne custume ou juggementz renduz sur leur chartres usages ne costumes qe eux purront alegger les queux chartres usages & costumes si nulles soient le dit Roi lai el prelates contes barons & grantz & communaltees avantditz tiegnent de null force come choses grantez usez ou acustumez au damage du Roy prelatz contes barons & grantz de son roialme & oppression de son poeple.

Sauvez toutes foitz au Roy &

& as autres les custumes duez des ditz merchandises. Et auxint qe le chancelier tresorer & justices assignez a tenir les plees le Roy es lieux ou ils veignent enquerger des tieles destourbances & grevances & facent punissement selonc ce qest avant ordeignez. Et nientmeyns qe le Roy face assigner par commission de son grant seal certains gentz ou & qant luy plerra denquer des tieles destourbances & grevances & de faire punissement come desuis est dit. Et puis par estatut fait en parlement tenuz a Westm' lan vint & quint du regne le dit Roi EDWARD laiell accordez estoit par mesme le Roi EDWARD laiell prelates contes barons & toutz autres grantz & communes en le dit parlement assemblez qe le dit estatut fait le dit an noefisme en toutz pointz & articles contenuz en ycel serroit tenu garde & meyn-tenu & qe si null estatut chartre lettre patente proclamation ou mandement usage allowance ou jugement feust fait a contrair serroit overtement repelle aniente & tenu pur null. Et outre ce qe chescun merchant ou autre de quele condition qil serroit auxibien alien come denzein qi amefneroit vins charres pesson ou autre manere des vitailles draps peaux ou avoir de poiis ou quelconques autres merces ou merchandises a la citee de Londres ou as autres citees burghs & bones villes dEngleterre ou portz du meer les purroit franchement & sanz chalange ou empeschement de nully vendre en grosse ou a retaille ou par parcelles a sa volentee a quelconques gentz qe les voudroient achatre nient contreesteantz quelconque franchise

justices assigned to hold the pleas of the King in places where they come, shall inquire of such disturbances and grievances, and punish according as is before ordained.

(3) And nevertheless, the King shall cause to be assigned by commission under the great seal, certain people, where and when it shall please him, to inquire of such disturbances and grievances, and to execute punishment as aforesaid.

(4) And after by a statute made at a parliament holden at Westminster the xxv. year of King EDWARD the Third, it was ordained by the same King EDWARD the grandfather, prelates, earls, barons, and all other great men and commons, That the said statute made the said ix. year, in all points and articles contained in the same, shall be holden, kept, and maintained.

(5) And if any charter, letters patents, proclamation, or commandment, usage, allowance, or judgement were made to the contrary, the same should be utterly repealed, avoided, and holden for none.

(6) And moreover, that every merchant or other, of what condition that he be, as well alien as denizen, which shall bring wines, flesh, fish, or other victuals, cloths, fells, or avoir de pois, or any other wares or merchandises to the city of London, or to other cities, boroughs, or good towns of England, or port of the sea, may freely and without challenge or impeachment of any, sell them in gross, or at retail, or by parcels, at his will, to all manner of people that will buy the same, notwithstanding any grant, franchise, or custom used, or any other manner of thing done to the contrary, since that such franchises and usages be in common prejudice of the King, and of all his people.

(7) And that no mayor, bailiff, U 4 catch-

Who may inquire of and punish the said offences.

25 Ed. 3. stat. 4. c. 2.

Merchants may sell their wares in gross, or by retail, notwithstanding any grant or custom to the contrary. 2 R. 2. stat. 1. c. 1.

catchpole, minister, or other, shall meddle with the sale of any manner of victuals vendible, carried or brought to cities, boroughs, nor other towns, nor fair, or market, but only he to whom the victuals shall be. (8) And also that proclamation be thereof made of new in all the counties of England, and in the city of London, and in all other cities, boroughs, and good towns and ports of the sea, and elsewhere within the realm of England, where it shall be needful. (9) And that the said King the grandfather shall thereupon cause to be assigned his justices at all times that shall please him, and shall be necessary, to inquire of all them that shall sell, or any thing do to the contrary, and to punish them according to the pain contained in the same statute made the said ninth year. (10) And that every man that will sue against any, shall have a writ out of the chancery to attach him by his body, as a disturber of the common profit, and to make him come to answer thereof in the King's court, as by the same statutes plainly doth appear. (11) Our lord the King seeing clearly that the said statutes if they were holden and fully executed, should much extend to the profit and wealth of all the realm, hath ordained and established, by the assent of the prelates, dukes, earls, barons, great men, nobles, and commons in this present parliament assembled, That the said statutes shall from henceforth be firmly holden, kept, maintained, and fully executed in all the points and articles of the same, notwithstanding any ordinance, statute, charter, letters patents, franchise, proclamation, commandment, usage,

chise grante ou custume use ou quelconque autre manere chose faite a contraire desicome que tieux franchises & usages sont en commune prejudice du Roi & de tout son poeple. Et que null mair baillif cachepol ministre ne null autre se medleiroit de la vente de null manere des vitailles vendables meinez ou portez as citees burghs nautres villes ne foire ne marche fors seulement celuy a qi les vitailles ferroient & que proclamation ent se ferroit de novell en toutz les contees d'Engleterre & en la citee de Londres & es touz autres citees burghs & bones villes & portz du meer & aillours deinz le roialme d'Engleterre ou mestier ferroit. Et que le dit Roi laiell sur ce ferroit assigner ses justices toutz les soitz que lui plerroit & mestier ferroit denquere de toutz ceux qi vendroient ou riens ferroient a lencontre & de les punir selonc la peine contenue en mesme lestatut fait le dit an noefisme & que chescun qi vorroit suir devers null tiel averoit brief de la chancellerie de luy attacher par son corps come destourbour de commune profit de luy faire ent venir a respons en la courte le Roi come par mesmes les estatutz pleinement appiert. Nostre seignur le Roi veiant clerement que les ditz estatutz fils feussent tenuz & pleinement executz sextendent overtement al profit & bien commune de tout le roialme Si ad ordeignez & establiz par assent des prelatz ducs contes barons grantz nobles & communes en cest present parlement assemblez que les ditz estatutz soient desore enavant fermement tenuz gardez mayntenuz

The stat. of
9 Ed. 3. stat. 1.
c. 1. & 25 Ed. 3.
stat. 4. c. 2.
shall be executed in all
points, notwithstanding
any charter,
&c.

& pleynement executz sage, allowance, or judgement
 & poyntz & articles dy- made or used to the contrary.
 cient contreesteantz af- (12) And that if any statute;
 tut ordinance chartres ordinance, charter, letters pa-
 patentes franchise pro- tents, franchise, proclamation,
 on mandement usage commandment, usage, allow-
 ce ou juggement fait ou- ance, or judgement be made
 ntraire. Et qe si ascun or used to the contrary, it shall
 tut ordinance chartre be utterly repealed, avoided,
 patentz franchise pro- and holden for none. vid. 16 R. 2. c. 1. 1 H. 4. c. 17.
 on maundement usage
 ce ou juggement soit fait ou use a contraire soit outre-
 pellez anientiz & tenuz pur null.

CAP. VIII.

ain annuities granted by the King, his father and grandfather, made void.

M, it is ordained and established, That all the annuities
 other things given or granted by our lord the King, or
 father or grandfather, to any manner of persons, with the
Quousque pro statu suo aliter duxerimus ordinandum, shall be
 void and of no force, if the same persons have accepted
 rd any other things of the King and of his said father or
 ther.

CAP. IX.

To new imposition shall be put upon merchandises.

M qe nulle imposition **I**TEM, That no imposition
 charge soit mys sur lains or charge be put upon
 u pealx lanutz autre qe wools, leather, or woolfels,
 ide & custume grantez other than the custom and
 i en cest present parle- subsidy granted to the King in
 & si ascuny soit soit re- this present parliament; and
 & adnullez come autres if any be, the same shall be
 uist ordeynez par estatut repealed and annulled, as it
 it toutdiz au Roi son was another time ordained by
 a droit. statute; saving always unto the
 King his ancient right.

45 Ed. 3. c. 4.

CAP. X.

ing's signet or privy seal shall not be sent in disturbance of the law.

M ordeyne est & estably **I**TEM, it is ordained and
 lettres de signet ne du established, That neither
 al nostre seigneur le Roy letters of the signet, nor of the
 int deormes envoieez en King's privy seal, shall be from
 e ne prejudice de roialme henceforth sent in damage or
 stourbanche de la loye. prejudice of the realm, nor in
 disturbance of the law.

Cro. El. 417.
 1 Anderl. 138.
 No seal of the
 King's shall
 be sent to pre-
 judice the
 common law.
 9 H. 3. stat. 1.
 c. 29.
 2 Ed. 3. c. 2.

CAP.

CAP. XI.

The keeping of assises in good towns, referred to the consideration of the chancellor and justices, &c.

6 R. 2. c. 5.

The keeping of assises in good towns referred to the consideration of the chancellor and justices.

ITEM, whereas late in a statute made at Westminster, the sixth year of the King's reign that now is, amongst other things it was ordained, and accorded, that the justices assigned and to be assigned, to take assises, and deliver gaols, should hold their sessions in the chief and principal towns of every county, that is to say, where the shire courts of the same counties be, or hereafter shall be holden; (2) our lord the King considering how the said statute is in part prejudicial and grievous to the people of divers counties of England, will and grant of the assent aforesaid, at the request of the said commons, That the chancellor of England for the time being shall have power thereof to make and provide remedy by advice of the justices from time to time, when need shall be, notwithstanding the said statute.

Et memorand' quod proclamatio istius statuti facta fuit in singulis comitatibus Anglie.

Statutes made at Cambridge, Anno 12 RICH. II.
and Anno Dom. 1388.

FOR the common profit and universal wealth of all the realm of England, our lord the King at his parliament holden at Canterbury the morrow after the nativity of our lady, the twelfth year of his reign, by the assent of the lords and commons there assembled, hath made certain statutes and ordinances in the form following.

PUR commune profit & universel bien de tout le roialme nostre seignur le Roi a son parlement tenuz a Canteb' lendemain de la nativite de nostre dame lan de son regne douzisme del assent des seignurs & communes illoeqs assemblez ad fait certains estatutz & ordenances en la forme qensuit.

CAP.

CAP. I.

nation of the liberties of the church, and of all former statutes not repealed.

rement accordez est & utuz qe seinte eglise ses libertees & franchise la Grande Chartre artre de la Foreste & res estatutz & orde-
vant ces heures faitz repellez soient due-
uz & fermement gar-

FIRST, it is accorded and assented, That holy church have all her liberties and franchises, and that the Great Charter, and the Charter of the Forest, and all other statutes and ordinances made in times past, and not repealed, shall be duly holden and firmly kept.

A confirma-
tion of the li-
berties of the
church and of
former sta-
tutes.

CAP. II.

all obtain offices by suit, or for reward, but upon desert.

I accordez est & asen-
ge le chancelier trefor-
in du prive seal senes-
hostel le Roy cham-
du Roi clerck des roul-
ces de lun bank & de
arons de leschequer &
tres qi serront appel-
einer nomer ou faire
de la paiz viscontz es-
custumers contrerol-
ascun autre officer ou
du Roi soient ferme-
rez & serementez
leinent noment ne fa-
tice de la paiz viscont
r custumer contrerol-
null autre officer ne
du Roi par null ma-
un ne brogage favour
n ne qe null qe pursue
ou par autre en prive
pert destre en aucune
office soit mys en mes-
ce ou en ascun autre
s facent toutz tielx of-
ministres de les plus
loialx & les plus suf-
a lour escience & lour
ce.

ITEM, it is accorded, That the chancellor, treasurer, keeper of the privy seal, steward of the King's house, the King's chamberlain, clerk of the rolls, the justices of the one bench and of the other, barons of the exchequer, and all other that shall be called to ordain, name, or make justices of peace, sheriffs, escheators, customers, comptrollers, or any other officer or minister of the King, shall be firmly sworn, that they shall not ordain, name, or make justice of peace, sheriff, escheator, customer, comptroller, nor other officer or minister of the King, for any gift or brocage, favour or affection; (2) nor that none which pursueth by him, or by other, privily or openly, to be in any manner office, shall be put in the same office, or in any other; (3) but that they make all such officers and ministers of the best and most lawful men, and sufficient to their estimation and know-
ledge.

None shall ob-
tain offices by
suit or for re-
ward, but by
desert.

Co. Lit. 234. a.
5 & 6 Ed. 6.
c. 16.



CAP.

C A P. III.

No servant shall depart from one hundred to another, without a testimonial under the King's seal, on pain of being set in the stocks.

Ex edit. Raft.
Artificers.
Justices of
peace.
Mayors.
Constables.
Stocks.
Labourers.

ITEM, it is accorded and assented, That all the statutes of artificers, labourers, servants and victuallers, made as well in the time of our sovereign lord the King that now is, as in the time of his noble grandfather (whom God assoil) not repealed, shall be firmly holden and kept, and duly executed. And that the said artificers, labourers, servants and victuallers be duly justified by the justices of peace as well at the suit of the King as of the party, according as the said statutes require. And that the mayors, bailiffs, and stewards of lords, and constables of towns, do duly their offices touching such artificers, servants, labourers and victuallers. And that a pair of stocks be in every town to justify the same servants and labourers as is ordained in the said statutes. And moreover it is ordained and assented, That no servant nor labourer be he man or woman, shall depart at the end of his term out of the hundred, rape, or wapentake where he is dwelling, to serve or dwell elsewhere, or by colour to go from thence in pilgrimage, unless he bring a letter patent containing the cause of his going, and the time of his return, if he ought to return, under the King's seal, which for this intent shall be assigned and delivered to the keeping of some good man of the hundred, rape, wapentake, city, or borough, after the discretion of the justices of peace to be kept, and lawfully to make such letters when it needeth, and not in any other manner, by his own oath. And that about the same seal there shall be written the name of the county and overthwart the said seal, the name of the hundred, rape, or wapentake, city or borough. And also if any servant or labourer be found in any city or borough or elsewhere coming from any place, wandering without such letter, he shall be maintenance taken by the said mayors, bailiffs, stewards or constables, and put in the stocks, and kept till he hath found surety to return to his service, or to serve or labour in the town from whence he came, till he have such letter to depart for a reasonable cause. And it is to be remembered, that a servant or labourer may freely depart out of his service at the end of his term, and to serve in another place, so that he be in a certainty with whom, and shall have such a letter as afore: *but the meaning of this ordinance is not, that any servants, which ride or go in the business of their lords or masters, shall be comprised within the same ordinance for the time of the same business.* And if any bear such letter, which may be found forged or false, he shall have imprisonment of xl. days for the falsity, and further till he hath found surety to return or serve or labour as before is said. And that none receive servant or labourer going out of their hundred, ra, e, or wapentake, city, or borough, without letter testi-

Letter.

Seal.

Bailiffs.
Stewards.

al, nor with letter testimonial, above one night, *except it be for sickness or other cause reasonable*, or which will and may serve about there by the same testimonial, upon a pain to be li- by the justices of peace. And that as well artificers and e of mystery, as servants and apprentices, which be of no avoyr, and of which craft or mystery a man hath no great in harvest time, shall be compelled to serve in harvest, to gather, and bring in the corn. And that these statutes be executed by mayors, bailiffs, and constables of towns, up- in to be limited and judged by the said justices of peace in sessions. And that no man take above a penny for the ng, sealing, and delivering of such letter.

Rep. 5 Eliz.
c. 4. & 21 Jac. 1.
c. 28.

CAP. IV.

Several penalties for giving or taking more wages than is limited by statute.

EM, *because that servants and labourers will not, nor by a long* Ex edit. Raft.
ason, would serve and labour without outrageous and excessive and much more than hath been given to such servants and la- s in any time past, so that for scarcity of the said servants and ers, the husbands and landtenants may not pay their rents, nor live upon their lands, to the great damage and loss as well of rds as all the commons: also because that the biers of the said ser- and labourers have not been put in certainty before this time: It

orded and assented that the bailiff for husbandry shall take Servants.
ar xiii. s. iii. d. and his clothing once by year at the most. master hine x. s. the carter x. s. the shepherd x. s. the ox- vi. s. viii. d. the cowherd vi. s. viii. d. the swineherd vi. s. man labourer vi. s. a dey vi. s. a driver of the plough vii. s. e most. And every other labourer and servant according s degree, and less in the country where less was wont to be without clothing, courtesie, or other reward by covenant. hat no servant of artificer nor victualler within city, borough, ther town, shall take more than the servants and labourers a- named after their estate, without vesture, courtesie, or other d by covenant as is aforesaid, and if any give or take by iant more than is above specified, at the first time that shall be thereof attainted, as well the givers as the takers, pay the value of the excess so given or taken, and at the d time of their attainder, the double value of such excess, 4 H. 5. c. 4.
4 H. 8. c. 5.
Rep. 5 Eliz.
c. 4. & 21 Jac. 1.
c. 28.
at the third time the treble value of such excess, and if the so attainted have nothing whereof to pay the said excess, all have forty days imprisonment.

CAP. V.

foever serveth in husbandry until twelve years old, shall so continue.

EM, it is ordained and assented, That he or she, which use Ex edit. Raft.
o labour at the plough and cart, or other labour or service Servant at
usbandry, till they be of the age of twelve years, that from husbandry.
thence-

Rep. 5 Eliz.
c. 4. & 21 Jac. 1.
c. 28.

thenceforth they shall abide at the same labour, without being put to any mystery or handicraft. And if any covenant or bond of apprentice be from henceforth made to the contrary, the same shall be holden for none.

CAP. VI.

No servants in husbandry, or labourer, shall wear any sword, buckler, or dagger. Unlawful games prohibited.

Servants of
husbandry.

Bows.
Arrows.
Tenis play.
Football.
Swords.
daggers.

ITEM, it is accorded and assented, that no servant of husbandry, or labourer, nor servant, or artificer, nor of victualler, shall from henceforth bear any buckler, sword nor dagger, upon forfeiture of the same, but in the time of war for defence of the realm of *England*, and that by the surveying of the arrears for the time being, or travelling by the country with their master, or in their master's message, but such servants and labourers shall have bows and arrows, and use the same the *Sundays* and holydays, and leave all playing at tennis or football, and other games called coits, dice, casting of the stone, kails, and other such importune games. And that the sheriffs, mayors, bailiffs, and constables, shall have power to arrest, and shall arrest all doers against this statute, and seise the said bucklers, swords, and daggers, and keep them till the sessions of the justices of peace, and the same present before the same justices in their sessions, together with the names of them that did bear the same.

Rep. 22 Jac. 1.
c. 28.

And it is not the King's mind that any prejudice be done to the franchises of lords, touching the forfeitures due to them.

CAP. VII.

The punishment of beggars able to serve, and a provision for impotent beggars.

Beggars.

2.

ITEM, it is accorded and assented, That of every person that goeth begging, and is able to serve or labour, it shall be done of him as of him that departeth out of the hundred and other places aforesaid, without letter testimonial as afore is said, except people of religion, and hermits having letters testimonial of their ordinaries, and that the beggars impotent to serve, shall abide in the cities and towns where they be dwelling at the time of the proclamation of this statute, and if the people of cities or other towns will not or may not suffice to find them, that then the said beggars shall draw them to other towns within the hundreds, rape or wapentake, or to the towns where they were born, within xl. days after the proclamation made, and there shall continually abide during their lives, and that of all them that go in pilgrimage as beggars, and be able to travail, it shall be done as of the said servants and labourers, if they have no letters testimonial of their pilgrimage under the said seals. And that the scholars of the universities that go so begging, have letters testimonial of their chancellor upon the same pain.

Pilgrimage.
Scholars.
Rep. 1 Ed. 6.
c. 3. & 21 Jac. 1.
c. 28.

CAP. VIII.

Travellers reporting they have been imprisoned beyond sea shall produce testimonials.

ITEM, it is ordained and assented, That they that feign themselves men travelled out of the realm, and there to be imprisoned, shall bring letters testimonial of the captains where they were abiding, or of the mayors or bailiffs where they arrived. And the same mayors and bailiffs shall enquire of such people where and with whom they have dwelled, and in what place their dwelling is in *England*, and that the same mayors and bailiffs make them letters patents under the seal of their office, testifying the day of their arrival, and also witnessing where they have been. as they have said. And that the said mayors and bailiffs cause them to swear, that they shall hold their right way towards their country, except they have letters patents under the King's great seal to do otherwise. And if any such travelled man be found without such letter as afore is said, it shall be done of him as of the said servants and labourers, and also this ordinance shall be intended of men travelled, that go begging through the country after their arrival.

Letters testimonial.
Mayors.
Bailiffs.

Travelled man.

Rep. 21 Jac. 1. c. 28.

CAP. IX.

The statute of labourers shall be executed within cities and boroughs.

ITEM, it is ordained and assented, That the ordinances afore said of servants and labourers, beggars, and vagabonds, shall hold place and be executed as well in cities and boroughs, as in other towns and places within the realm, as well within the franchises as without, and that the sheriffs, mayors, bailiffs, and keepers of the gaols shall be holden and charged to receive the said servants, labourers, beggars, and vagabonds, and to keep them in the prison in the form afore said, without letting to mainprise or in bail, and without fee or any other thing taking of them by themselves or by any other, as long as they be so imprisoned, or at their entry, or at their going forth, upon pain to pay an C. s. to our sovereign lord the King.

Servants.
Sheriffs.
Mayors.
Bailiffs.
Keepers of gaols.

Rep. 5 Eliz. c. 4.
& 21 Jac. 1. c. 28.

CAP. X.

How many justices of peace there shall be in every county, and how often they shall keep their sessions.

ITEM ordeinez est & assentuz qen chescun commission des justices de la paix ne soient assignez qe sys justices outre les justices daffises & qe les ditz sys justices tiegnent lour sessions en chescun quartre del an au meyns & ce par trois jours li mestier soit sur peyne destre puniz solonc ladvs du con-

ITEM, it is ordained and agreed, That in every commission of the justices of peace, there shall be assigned but six justices, with the justices of assises, (2) and that the said six justices shall keep their sessions in every quarter of the year at the least, and by three days, if need be, upon pain to

36 Ed. 3. c. 12.
How many justices of peace shall be in every county, how often they shall keep their sessions, and what wages they shall have.

to be punished according to the discretion of the King's council, at the suit of every man that will complain; (3) and they shall enquire diligently, amongst other things touching their offices, if the said mayors, bailiffs, stewards, constables, and gaolers have duly done execution of the said ordinances of servants and labourers, beggars and vagabonds, and shall punish them that be punishable by the said pain of an hundred shillings, by the same pain; and they that be found in default, and which be not punishable by the same pain, shall be punished by their discretion. (4) And every of the said justices shall take for their wages four shillings the day for the time of their said sessions, and their clerk two shillings, of the fines and amerciaments rising and coming of the same sessions, by the hands of the sheriffs. (5) And that the lords of franchises shall be contributory to the said wages, after the rate of their part of fines and amerciaments afore said. (6) And that no steward of any lord be assigned in any of the said commissions. (7) And that no association shall be made to the justices of the peace after their first commission. (8) And it is not the intent of this statute, that the justices of the one bench or of the other, nor the serjeants of the law, in case that they shall be named in the said commissions, shall be bound by force of this statute to hold the said sessions four times in the year, as the other commissioners, the be continually dwelling in the country, but that they shal it when they may best attend it.

conseil le Roy a suïte de cun qe soy vorra plein enquerger diligement autres choses touchant offices si les ditz meirs seneschalx & conestab auxint gaolers ont du faitz execution des ditz nances & estatutz des se & laborers mendingantz gerantz & punissent ceux punissables par la dite pe C.s. par mesme la pe ceux qe sont trovez en qi ne sont pas punissab la dite peyne punissent p discretion. Et preigne c des ditz justices pur lour iiij. s. le jour pur le ter lour ditz sessions & lour deux s. le jour des fyn merciamenz surdantz i venantz de mesmes les i par les mayns des viscor qe les seignurs des fra soient contributoirs as d ges solonc lasserant de lo des fyns & amerciamer ditz. Et qe null senesch seigneur soit assigne en r ditz commissions & qe i sociation soit fait as just la paix apres lour prime mission. Et nest pas leni de cest estatut qe les just lun bank & de lautre ne geantz de ley en cas qil nomez en les ditz comn soient tenuz par force estatut de tenir les ditz : quatre soit par an con les autres commission sont continuelment r rantz en pais mes qil cent qant ils a ce poent ment entendre.

The wages of the clerk of the peace.

No association of justices of peace.

13 R.2.stat.1. c.7.

The judges and serjeants of the law shall not attend the sessions but when they may.

CAP. XI.

punishment of him that telleth lies of the peers or great officers of the realm.

M come contenuz soit
ien en lestatut de Westm'
come en lestatut fait
c' lan du regne nostre
r le Roi qore est secong
l soit si hardy de controve
ou conter ascune fauz
mensonge ou autre tiel
chose des prelatz ducs
barons & autres nobles
itz du roialme & auxint
ancelier tresorer clerck du
seal seneschal del hostel
seignur le Roi justices de
ank & de lautre & dau
rantz officers du roialme
le fra soit pris & emprison
esques autant qil eit trove
dont la parole serra moe
cordez est & essentuz en
arlement qe qant ascun
t pris & emprisonnez & ne
rover celuy dont le patole
noeez come devant est
soit puniz par advys du
l nient contrestant les
avantditz.

ITEM, *whereas it is con
tained, as well in the statute
of Westminster the First, as in
the statute made at Gloucester,
the second year of the reign of our
lord the King that now is, that
none be so hardy to invent, to say,
or to tell any false news, lies, or
such other false things, of the pre
lates, dukes, earls, barons, and o
ther nobles and great men of the
realm, and also of the chancellor,
treasurer, clerk of the privy seal,
the steward of the King's house,
the justice of the one bench or of
the other, and other great officers
of the realm, (2) and he that doth
so shall be taken and imprisoned,
till he hath found him of whom
the speech shall be moved: (3) It
is accorded and agreed in this
parliament, That when any
such is taken and imprisoned,
and cannot find him by whom
the speech be moved, as before
is said, that he be punished by
the advice of the council, not
withstanding the said statutes.*

1 Inst. 127, 128.
2 Ed. 1. c. 34.
3 R. 2. stat. 1.
c. 5.
Dyer, 155, 285.
4 Co. 12.
Kel. 26.

The punish
ment of him
that telleth
lies of the pre
lates or great
officers of the
realm.

CAP. XII.

*at cases the lords and spiritual persons shall be contri
butory to the expences of the knights of parliament.*

M endroit de la levee
despesnes des chivalers
tz as parlementz pur les
unes des countees ac
est & assentuz qe la dite
oit faite come ad este
tant ces hures ajouste a
e si ascun seignur ou aume
me espirituel ou tem
ait purchacez ascuns ter
a tenementz ou autres
ions qi soleient estre con
pours as tiels despesnes de
e temps du dit purchace
esmes les terres tene
L. II. mentz

ITEM, in the right of the
levying of the expences of
the knights coming to the parli
aments for the commons of the
counties, it is accorded and as
sented, That the said levying
be made as it hath been used
before this time; (2) joining
to the same, that if any lord,
or any other man spiritual or
temporal, hath purchased any
lands or tenements, or other
possessions, that were wont
to be contributory to such expen
ces before the time of the said
pur-

Lords and spi
ritual persons
purchasing
lands contri
butory to the
expences of
the knights of
the parlia
ment.

4 Inst. 46.

purchase, that the said lands, tenements, and possessions, and the tenants of the same, be contributory to the said expences, as the said lands, tenements, and possessions were wont to do before the time of the same purchase.

mentz & possessions & le nantz dicelles soient con- toirs as dites despenses con- ditz terres tenementz & sions & les tenants dicell- lient faire devant le tem- mesme la purchase.

CAP. XIII.

The punishment of them which cause corruption near a great town to corrupt the air.

ITEM, For that so much dung and filth of the garbage and intrails as well of beasts killed, as of other corruptions, be cast and put in ditches, rivers, and other waters, and also within many other places, within, about, and nigh unto divers cities, boroughs, and towns of the realm, and the suburbs of them, that the air there is greatly corrupt and infect, and many maladies and other intolerable diseases do daily happen, as well to the inhabitants, and those that are conversant in the said cities, boroughs, towns and suburbs, as to other repairing and travelling thither, to the great annoyance, damage, and peril of the inhabitants, dwellers, repairers, and travellers aforesaid: (2) it is accorded and assented, That proclamation be made as well in the city of London, as in other cities, boroughs, and towns, through the realm of England, where it shall be needful, as well within franchises as without, that all they which do cast and lay all such annoyances, dung, garbages, intrails, and other ordure in ditches, rivers, waters, and other places aforesaid, shall cause them utterly to be removed, avoided, and carried away betwixt this and the feast of St. Michael next ensuing after the end of this present parliament,

ITEM pur ce que tan- times & autres ordur- issues & entrailles sibi- bestes tuez come des- corruptions sont gettez & en fosses ryvers & autres & auxint plusours autres dedeinz entour & pres- ses citees burghs & vill- roialme & les suburbs- les que laire illoeqes est- ment corrupt & enfect & sours maladies & autre- eales nient suffrables avei- de jour en autre sibi- inhabitantz & conversar- dites citees burghs villes- burbes come as autres il- repairantz & passants a- grant anufance damage- ril des inhabitantz conve- repairantz & passantz a- Accordez est & assenti- proclamation soit fait sibi- la citee de Londres cor- autres citees burghs & parmy le roialme ou i- soigne sibi- deinz fran- come dehors que toutz ce- tielx anufances fymes issi- trailles & autres ordure- gettez & mys en fosses- ewes & autres lieux su- les facent outrement r- ouster & emporter paren- & le fest de seint Michel- chein avenir apres le f- cest parlement chescui- peyne de .xvint livres ap-

The punish- ment of him who shall cast corruption in- to any place near a city or town.

every

& que les meirs & bail-
 helcun tiel citee burgh
 & auxint les bailifs
 chifes les compellent
 e sur semblable peyne.
 un soy sent greve qe
 it parfait en manere
 soy voet ent pleindre
 aller apres le dit feste
 Michel eit brief de
 celui de qi il voet en-
 re en la chancellarie
 trer pur qoy la dite
 serra leve de luy &
 poet ent duement ex-
 emefme la peyne leve
 Et enoutre soit pro-
 faite sibien en la
 de Londres come en
 tees burghs & villes
 suis qe null de quel
 qil soit ne face met-
 ettre desore en avant
 desances issues fymes
 & ordures en les fos-
 ewes & autres lieux
 si null le face soit ap-
 brief devant le chan-
 suite de celui qe soy
 indre & fil soit trove
 soit puniz solonc la
 del chaunceller.

every one upon pain to lose
 and to forfeit to our lord the
 King xx li. (3) And that the
 mayors and bailiffs of every
 such city, borough, or town,
 and also the bailiffs of franchises,
 shall compel the same to be
 done upon like pain. (4) And
 if any feel himself grieved, that
 it be not done in the manner
 aforesaid, and will thereupon
 complain him to the chancel-
 lor after the said feast of St.
Michael, he shall have a writ
 to make him of whom he will
 so complain to come into the
 chancery, there to shew why
 the said penalty should not be
 levied of him. (5) and more-
 over, proclamation shall be
 made, as well in the city of
London, as in other cities, bo-
 roughs, and towns as afore-
 said, that none of what condition
 soever he be, cause to be cast
 or thrown from henceforth
 any such annoyance, garbage,
 dung, intrails, nor any other
 ordure into the ditches, rivers,
 waters, and other places afore-
 said; (6) and if any do, he
 shall be called by writ before
 the chancellor, at his suit that

Chief officers
 of towns shall
 compel offen-
 ders to redress
 their annoy-
 ances.

plain; and if he be found guilty, he shall be punished
 discretion of the chancellor. F.N.B. 176.B. 185.D.

C A P. XIV.

*mation of the statute of 47 EDW. III. cap. 1.
 touching the length and breadth of cloths.*

it is ordained and assented, That the cloths of ray, Ex edit. Raft.
 coloured cloths, to be made and wrought at *Bristol*, and
 counties thereabout, shall be of the measure another
 used by a statute made at *Westminster*, the xlvi. year of
 EDWARD, grandfather of our sovereign lord the King
 is, that is to say, the cloths of ray of the length of
 yards of length measured by the list, and v. quarters of
 and that the coloured cloth be of xxvi. yards of length
 by the back, and vi. quarters of breadth at the least, and
 half cloth, be it of ray or of colour, contain in length
 rate, and in breadth as the cloths of ray and colour,
 pain contained in the same statute.

Cloths of
 ray.
 Coloured
 cloth.
 Rep. by 5 & 6
 Ed. 6. c. 6.
 43 Eliz. c. 10. &
 4 Jac. 1. c. 2.

CAP. XV.

He that will go out of the realm to provide a benefice within the realm, shall be out of the King's protection, and the benefice shall be void.

Provision.

13 R.2.stat.2.
c.2.

ITEM, that no liege man of the King, of what estate or condition that he be, great or little, shall pass over the sea, nor send out of the realm of *England*, by licence nor without licence, without special leave of the King himself, to provide or purchase for him benefice of holy church, with cure or without cure in the said realm, and if any do, and by virtue of such provision, accept by him or by any other, any benefice of the same realm, that at that time the same provisor shall be out of the King's protection, and the same benefice void, so that it shall be lawful to the patron of the same benefice, as well spiritual as temporal, to present to the same an able clerk at his pleasure.

CAP. XVI.

The staple shall be removed from Middleburgh to Calais.

Staple.
Alter'd by
14 R.2.c.1.

ITEM, it is ordained and assented, the staple be removed from *Middleburgh* to *Calais*, so that it shall be at *Calais* the first day of *December* next coming.

REX vicecomiti Kancie salutem. Quedam statuta & ordinationes per nos de assensu magnatum & communitatum regni nostri Anglie in parlamento nostro apud Cantebrigg' in crastino nativitatis beate Marie Virginis ultimo preterito tento facta que tibi mittimus sub magno sigillo nostro in forma patenti tibi precipimus quod infra comitatum predictum in locis ubi magis expediens fuerit sine dilatione legi & publice ex parte nostra proclamari ac firmiter teneri & observari facias juxta formam statutorum & ordinationum predictorum. Et hoc sub incumbenti periculo nullatenus omittas.

T. R. apud Westm' xx die Novembris.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam ac Johanni regi Castelle & Legionis duci Lancastrie vel ejus cancellario in ducatu predicto.

Statutes made at *Westminster*, Anno 13 RICH. II.
stat. 1. and Anno Dom. 1389.

IN the parliament holden, at Westminster the Monday next after the feast of St. Hillary, the thirteenth year of the reign of King RICHARD the Second after the conquest, our lord the King, to the honour of GOD and holy church, and for the common profit of his liege people of his realm, of the assent of the prelates and lords

tempo-

EN ycest parlement tenuz a Westm' Lundy prochein apres le fest de Seint Hiller lan du regne nostre seigneur le Roy RICHARD second puis le conquest trefzisme nostre dit seigneur le Roy al honour de Dieu & de seint eglise & pur commune profit de ses liges de son dit roialme del assent des prelatz

seignurs temporeles & temporales, and commons, being in
nunes estantz el dit par- the same parliament, hath ordain-
t ad ordeinez & establiz ed and established the things un-
ioses defouz escriptz. der-written.

CAP. I.

King's presentee shall not be received to a church full of an incumbent, until he hath recovered it by law.

¶ primes come ordeine soit par estatut fait lan du del aiel nostre seigneur le vint & quint qe a quelle qe le Roy ferra collation eslement a null bene- n autri droit qe le title ioi il se fondera soit bien ex- qil soit vray & a quelle qe avant juggement ren- title soit trove par bone nation nient vray ne joust collation ou presente- nient fait repellez & nient steant le dit estatut as- presentez du Roy par fa- es ordenairs sont institutz ictez en benefices de seinte sanz due processe les par- ent garniz ne appelez & soit par enquestes meyns favourablement pris & umbentz en tiele manere ordeinez est & assentuz lit estatut soit fermement & gardez. Et enou- tre seigneur le Roi al re- e de Dieu & de seinte voet & grante qe fil pre- ascun benefice qe soit ascun incumbent qe le e du Roy ne soit re- r lordinair a tiel bene- nqe le Roi eit recovere sement par proces du sa court demesne & si presente du Roy soit au- t receu & lincumbent inz due proces come de- dit comence le dit in- nt sa suite deinz un an induction du presente du plustard.

FIRST, *whereas it is ordain- ed by a statute made the xxv year of the reign of King ED- WARD the grandfather of our lord the King that now is, That at what time that the King shall make collation or presentment to any benefice in another's right, that the title upon which he groundeth himself shall be well examined that it be true; (2) and at what time before judgment given, the title be found by good information untrue, and not just, the collation or presentment there- upon made shall be repealed: (3) and notwithstanding the same statute, some of the King's presen- tees, by favour of the ordinaries be instituted and inducied in be- nefices of holy church without due process, the parties not warned nor called, and sometime taken by false inquests favourably, and the in- cumbents in such manner put out; it is ordained and assented, That the said statute be firmly holden and kept. (4) And moreover our lord the King, for the reverence of God and holy church, doth will and grant, That if he present to any benefice that is full of any incumbent, that the presentee of the King shall not be re- ceived by the ordinary to the benefice, till the King hath re- covered his presentment by process of the law in his own court: (5) and if any presentee of the King be otherwise re- ceived, and the incumbent put out without due process, as a- fore* 4 Inst. 51.
1 Mod 279.
The statute of 25 Ed. 3. stat. 3. c. 3. confirmed, touching the examination of the King's title to a be- nefice when he presenteth in another's right.
When the King present- eth to a bene- fice full of an incumbent, his presentee shall not be received until he hath re- covered by law, 25 Ed. 3. stat. 3. c. 3. & stat. 3. c. 7.
4 H. 4. c. 22.

fore is said, the said incumbent shall begin his suit within a
after the induction of the King's presentee at the least.

CAP. II.

*The authority of the constable of England, and the r
where it is abused.*

4 Mod. 128.
Crompt. Juris-
diction, 28.

ITEM, because that the com-
mons do make a grievous com-
plaint, that the court of the con-
stable and the marshal hath in-
croached to him, and daily doth
incroach contracts, covenants, tres-
passes, debts, and detinues, and
many other actions pleadable at
the common law, in great preju-
dice of the King and of his courts,
and to the great grievance and
oppression of the people; (2) our
lord the King, willing to or-
dain a remedy against the pre-
judices and grievances afore-
said, hath declared in this par-
liament, by the advice and as-
sent of the lords spiritual and
temporal, the power and ju-
risdiction of the said constable,
in the form that followeth:
To the constable it pertaineth
to have cognisance of contracts
touching deeds of arms and of
war out of the realm, and also
of things that touch war with-
in the realm, which cannot be
determined nor discussed by
the common law, with other
usages and customs to the same
matters pertaining, which o-
ther constables heretofore have
duly and reasonably used in
their time; (3) joining to the
same, that every plaintiff shall
declare plainly his matter in
his petition, before that any
man be sent for to answer
thereunto. And if any will
complain, that any plea be
commenced before the consta-
ble and marshal, that might
be tried by the common law
of the land, the same plaintiff
shall have a privy seal of the

The authority
of the con-
stable of Eng-
land, and
wherein it
consisteth.

The remedy
where the
constable and
marshal shall
hold plea of
any thing de-
terminable by
the common
law.

8 Shower, 353.

ITEM pur ce qe la con-
ne fest grevouement
pleint qe la court del con-
& mareschall ad accroche
& accroche de temps en
contractz covenantes tre-
dettes & detenues & pl
autres actions pledables
commune ley en grant
dice du Roy & de ses o-
& a grant grevance & o-
sion due poeple nostre se-
le Roy voillent ordeign
mede encontre les prej-
& grevances suisditz ad d-
en cest parlement par ad-
assent des seignurs espr-
& temporeles le poair &
diction du dit conestable
fourme qensuit: al con-
apartient davoir conn-
des contractz tochant
darmes & de guerre he-
roialme & auxint des che-
touchent armes ou guerre
le roialme queux ne
estre terminez ne discus
commune ley ove autre
ges & custumez a ycelle
tires appartenantz quei-
tres conestables devant c-
duement & resonablemer
en lour temps ajoustant
qe chescun pleintiff c-
pleinement sa matire en
tition avant qe soit env-
ascun homme a respo-
ycell. Et si ascun so-
pleindre quascun plee si
mence davant le conest-
mareschall qe purroit es-
par commune ley de la
eit cell pleintif brief de
seal du Roi sanz difficu-
rect as ditz conestable.

King

l de surfeer en celle ple
soit discus par le con-
Roi si celle matire doit
oit appartiegner a celle
ou autrement estre triez
commune ley du roi-
& qils surfeent en le mesme

King without difficulty, di-
rected to the said constable
and marshal, to surcease in
that plea, until it be discussed
by the King's council, if that
matter ought of right to pertain
to that court, or otherwise to
be tried by the common law of
the realm of *England*, and al-
so that they surcease in the
mean time.

28 Ed. 1. stat. 3.
c. 3.
8 R. 2. c. 5.
33 H. 8. c. 12.

CAP. III.

Limits of the steward's and marshal's court of the King's house.

IM accordez est & assen-
te qe la court de seneschall
marshal de hostiell du
le la jurisdiction dycelle
se le space de douze le-
counters entour le tenell
si.

ITEM, it is accorded and as-
sented, That the court of
the steward and marshal of the
King's house, nor also the ju-
isdiction thereof, shall not pass
the space of twelve miles, to be
counted from the lodging of
our said lord the King.

The limits of
the steward
and marshal's
court.

F.N.B. 241.B.
1 Bulstr. 209.

CAP. IV.

The duty of a clerk of the market of the King's house.

IM a la requeste de la
te communalte ordeinez
assentuz qe le clerc del
le del hostiell nostre seig-
e Roy face bien & due-
son office & qe toutes
mesures & pois soient
lonc la fourme del esta-
qe le dit clerc ne preigne
commune fyn mes qe che-
persone qest trove en de-
ochant le dit office soit
solonc son desert & qil
ivache mes ove sys chi-
u puis & qil ne demurge
lle ville nautre lieu puis
necessite de son fait de-
e & fil face riens a con-
de cest estatut & ent soit
ent convietz paie au Roy
mer soitz qil serra issint
5 cent soulds & al second
dys livers & al tierce soitz
ivers.

ITEM, at the request of the
said commons it is ordain-
ed and assented, That the clerk
of the market of the King's
house shall do his office well
and duly; (2) and that all false
measures and weights shall be
burned after the form of the
statute; (3) and that the said
clerk take no common fine,
but that every person which is
found in default touching the
same office, be punished accord-
ing to his desert, and that he
shall not ride but with six hor-
ses at the most, and that he
shall not tarry in any town nor
other place longer than the ne-
cessity of his business shall re-
quire; and if he do any thing
contrary to this statute, and be
thereof duly convicted, he shall
pay to the King at the first
time that he shall be convicted,
an Cs. and at the second time
x l. and at the third time xx l.

The duty of
the clerk of
the market of
the King's
house.

4 Inst. 274.
16 Car. 1. c. 19.

CAP. V.

With what things the admiral and his deputy shall meddle.

Enforced
2 H. 4. c. 11.
1 Inst. 260.
4 Inst. 135.
12 Co. 104.
19 Co. 42, 58.
Hob. 11, 79,
196, 212.
2 Bulstr. 323.
3 Bulstr. 205.
Dyer. 109.
4 Mod. 176.
Salk. 31.

With what
things only
the admiral
and his depu-
ty shall med-
dle.

15 R. 2. c. 3.

ITEM, forasmuch as a great and common clamour and complaint hath been oftentimes made before this time, and yet is, for that the admirals and their deputies hold their sessions within divers places of this realm, as well within franchise as without, accreaching to them greater authority than belongeth to their office, in prejudice of our lord the King, and the common law of the realm, and in diminishing of divers franchises, and in destruction and impoverishing of the common people; (2) it is accorded and assented, That the admirals and their deputies shall not meddle from henceforth of any thing done within the realm, but only of a thing done upon the sea, as it hath been used in the time of the noble prince King EDWARD, grandfather of our lord the King that now is.

ITEM, pur ceo qe grant & commune clamour & pleint ont este sovent faitz devant ces heures & unquore sont de ce qe les admiralx & leur deputes tiegnent places deinz de roialme sibien dienz franchises come dehors accrochantz a eux plus grant poair qe a leur office appartient en prejudice de nostre seigneur le Roy & la commune ley du roialme & grant emblemissment des plusieurs diverses franchises & en destruction & empoverissement del commune poeple accordez & assentuz qe les admiralx & leur deputes ne foi mellent desore enavant de null chose fait deinz le roialme mes soulement de chose fait sur le meer solonc ceo qad est duement use el temps du noble Roy EDWARD, aiel nostre seigneur le Roy qor est.

CAP. VI.

How many serjeants at arms there shall be, and with what things they shall meddle.

There shall be
but 30 ser-
jeants at
arms, who
shall meddle
with nothing
but touching
their offices.

ITEM, at the grievous complaint made by the commons to our lord the King in this parliament, of the excessive and superfluous number of serjeants at arms, and of many great extor-tions and oppressions done by them to the people; (2) the King therefore doth will, that they shall all be discharged, and that of them and other there shall be taken of good and sufficient persons to the number of thirty, and no more from henceforth. (3) And moreover the King prohibiteth them to meddle with anything that toucheth not their office; (4) and that

ITEM a la grevous complaint de la comunalte fait a nostre seigneur le Roi en cest parlement del excessive & outrageous nombre des sergeantz darmes & de plusieurs grantz extor-tions & oppressions par eux faitz au poeple le Roy voet qils soient trestoutz deschargez & qe de eux & de autres soient reprises bones & sufficientes persones tanqal nombre de trent sanz plus desore enavant. Et en outre le Roy defende qils ne foi mellent de riens qe ne touche leur office & qils ne facent null extor-tion ne oppression al poeple

sur peine de perdre leur office & de faire fyn & rancon a la volonte du Roy & pleine gree a la partie.

they do no extortion nor oppression to the people, upon pain to lose their office, and to make a fine and ransom at the King's pleasure, and full satisfaction to the party.

CAP. VII.

What sort of persons shall be justices of peace, and what their charge is to do.

ITEM come contenuz soit en lestatut darrein fait a Cantebrigg qe null seneschall du seignur soit assigne en commission du justice de la pees nientmeyns pur certains causes monstrez en cest parlement accordez est & assentuz qe justices de la pees soient faitz de novell en toutz les countees dEngleterre de les pluis sufficientz chivalers esquiers & gentz de ley des ditz countees nient constreinte le dit estatut & qe les ditz justices soient serementez de duement & sanz favour garder & mettre en execution toutz les estatutz & ordinances touchantz leur offices.

ITEM, *whereas it is contained in the last statute made at Canterbury, that no steward of any lord shall be assigned in the commission of the justice of peace; nevertheless for certain causes shewed in this parliament, it is accorded and assented, That justices of peace shall be made of new in all the counties of England, of the most sufficient knights, esquires, and gentlemen of the law of the said counties, notwithstanding the said statute; (2) and that the said justices be sworn duly without favour to keep and put in execution all the statutes and ordinances touching their offices.*

What sort of persons shall be justices of peace, and what their charge is to do.

1 Ed. 3. stat. 1. c. 16.

4 Ed. 3. c. 2.

12 R. 2. c. 1.

2 H. 5. c. 4.

18 H. 6. c. 11.

CAP. VIII.

The rates of labourers wages shall be assessed and proclaimed by the justices of peace, and they shall assess the gains of victuallers. Who shall make borsebread, and the weight and price thereof.

ITEM ordeinez est & assentuz qe les estatutz & ordinances faitz al parlement darrein tenuz a Cantebrigg sibien de servantz laborers artificers & vitailers come de toutes autres choses horspris lexception en le profchein article par de suis touchant justices de la pees & auxint toutz autres estatutz & ordinances faitz devant ces heures & nient repellez soient fermement gardez & duement executz. Mes pur ce qe homme ne purra mye mettre en certain

ITEM, it is ordained and assented, That the statutes and ordinances made in the last parliament holden at *Canterbury*, as well of servants, labourers, artificers, and victuallers, as of all other things, saving the exception of the next article before touching justices of peace, and also all other statutes and ordinances made before this time, and not repealed, shall be firmly kept, and duly executed. (2) But forasmuch as a man cannot

12 R. 2. c. 9.

put

The rate of
artificers and
labourers wa-
ges.
5El.c.4.

put the price of corn and other victuals in certain, it is accorded and assented, That the justices of peace in every county, in two of their sessions to be holden betwixt the feast of *Easter* and *St. Michael*, shall make proclamation by their discretion according to the dearth of victuals, how much every mason, carpenter, tiler, and other craftsmen, workmen, and other labourers by the day, as as well in harvest as in other times of the year, after their degree, shall take by the day with meat and drink, or without meat and drink, between the two sessions before said, notwithstanding the statutes thereof heretofore made, and that every man obey to such proclamations from time to time as a thing done by statute. (3)

Victuallers
gains shall be
reasonable.
Cro. Jac. 609.
2 Keb. 277.
23 Ed. 3. c. 6.
12 Ed. 4. c. 8.

And in the right of victuallers it is accorded, That they shall have reasonable gains, according to the discretion and limitation of the said justices, and no more, upon pain to be grievously punished according to the discretion of the said justices, where no pain is limited in certain before this time. (4) And that sheriffs, stewards of lords of franchises, mayors, and bailiffs, and all other that have assise of bread and ale to keep, and the correction of the same, shall take no amerciamment or fine for any default touching the assise, for the which a man or woman by the law ought to have bodily punishment, according as it is another time ordained by statute; but they shall judge them to the same bodily punishment, as the offence requireth, and shall do execution thereof. (5) And that mayors, bailiffs,

and

certein les pris des bledz & autres vitailles accordez est et assentuz qe les justices de la pees en chescun countee en lour sessions tenuz entour le Paske & le seint Michel facent proclamation par lour discretion solonc la chierite de vitailles combien chescun mason carpentre teguler & autres artificers & overours & auxint labourers par journes sibien en aust come en autre temps del an solonc lour degre prendra le jour ove manger & boire ou sanz manger & boire entre les deux seisons susdites nient constreinte les estatutz ent faitz devant ces heures & qe chescun obeie a tielx proclamations de temps en temps come a chose fait par estatut. Et en droit des vitailers accordez est qils eient resonable gaigne solonc la discretion & limitation des ditz justices & nient pluis sur peine destre grevousment puniz solonc la discretion des ditz justices la ou peine n'est pas limite en certain des ditz vitailers devant ces heures. Et qe viscontz seneschalx des seignurs de franchises mairs & bailiffs & toutz autres qont lassise de pain & de cervoise agarder & la correction dicell ne preignent null amercement ne fyn pur null default tochant la dite assise pur quell homme ou femme par la ley avera penance corporele solonc ce qest autrement ordeigne par estatut mes les ajugent a mesme la penance corporel come le default requert & facent ent du execution. Et qe mairs & bailiffs & seneschalx des franchises & tous autres qont la garde & surwe des vitailles es citees burghs villes merchandes & aillours ou vitails sont vendus parmy le roialme

Victuallers
punishment.
51 H. 3. stat. 1.

ne mettent lestatut fait lan
& tierce du regne le Roy
iel le Roi qoreft qe co-
re *Quia maxima pars populi*
unt lestat des vitailleurs &
llers & autres vendours
itailles en due execution.
e null hostillet face payn
hivalx en son hostell nail-
mes facent les pestours
it lassay ent fait qe le pois
esonable solonc le pris des
z qe soit en marche & qe
nes les hostillers vendent
& aveyns a resonable pr:s
qils ne preignent pur le
l forsqe un maill outré le
mune pris en marche.

and stewards of franchises, and
all other that have the order and
survey of victuals in cities, bo-
roughs, merchant towns, and
elsewhere, where victuals be
sold in the realm, shall put the
statute made the twenty third
year of the reign of King ED-
WARD, grandfather to the
King that now is, which be-
ginneth, *Because a great part of*
the people, touching the estate
of victuallers and hostellers,
and other sellers of victuals in
due execution. (6) And that
no hosteller make horfe-bread in
his hoftry nor without, but ba-
kers shall make it; (7) and
the assise thereof shall be kept,

Horfe-bread.

4H.4.c.25.
32H.8.c.41.

that the weight be reasonable after the price of the corn in
market; (8) and that the same hostellers shall sell hay and
after a reasonable price, so that they take not for the bushel
one halfpenny over the common price of the market.

Repealed by
21 Jac.1.c.21.
& 28.

CAP. IX.

*re shall be but one weight and one measure throughout the
ealm, saving in the county of Lancaster. The weight of
wool, and the refuse thereof.*

TEM ordeignez est & ac-
cordez qe une mesure & un
soit parmy tout le roialme
gleterre come en la Grant
rtre & autres ordēances
statutz en faitz est conte-
plus au plein. Et qe che-
i qe soit conviēt qil ad ou
autre mesure ou pois eit la
one de demy an & face gree-
artie del double de sa per-
orspris en le counte de Lan-
re acause qen le dit counte
este de tout temps plus
t mesure qe en aucun autre
ie du roialme. Et qe null
nme achate ne vende leyns
plus haut pois qe a quaz-
ze livres le pere sur peyne
aier le double a celui qe
sente greve & de faire fyn
&

ITEM, it is ordained and
accorded, That one mea-
sure and one weight be through-
out all the realm of *England*, as in
the Great Charter, and other
statutes and ordinances there-
of made, is more plainly con-
tained, (2) And every one
that shall be conviēt that he
hath or useth any other mea-
sure or weight shall have im-
prisonment of half a year, and
make recompence to the party
grieved to the double of his
loss, except it be in the coun-
ty of *Lancaster*, because in that
county it hath always been
used to have greater measure
than in any other part of the
realm. (3) And that none buy
or sell wool at more weight

There shall be
but one
weight and
one measure.

Except it be
in the county
of Lancaster.

Wool shall be
sold at 14lb.
to the stone.
31Ed.3.stat.1.
than c.2.

Refuse of
wools.

Wool shall not
be bought by
Good pack-
ing;

nor be cocket-
ed but in the
owner's name.
3 H. 6. c. 5.
11 H. 7. c. 4.

Ex edit Pul.

Cogware and
Kendal cloth
may be made
of such length
and breadth
as they have
been.

25 Ed. 3. stat. 4.
c. 1.
47 Ed. 3. c. 1.
12 R. 2. c. 14.
5 & 6 Ed. 6.
c. 6.
43 Eliz. c. 10.
Rep. 4 Jac. 1.
c. 2.

than at fourteen pounds the stone, upon the pain to pay the double to him that feeleth him grieved, and to make fine and ransom to the King after the quantity of the trespass. (4) And that no denizen nor foreigner make any other refuse of wools, but cot, gare, and villein. (5) And that no merchant nor other man buy his wools by these words, *Good packing*, nor by like words, upon pain, that is to say, the broker to have imprisonment of half a year, and the buyer to make a fine to the King after the quantity of the trespass, and the party that feeleth him grieved, shall have double damages of that which he hath suffered by the said occasion.

(6) And that none shall make wools to be cocketed, but in the name of him to whom the wools be, upon pain of forfeiture of the same, as it hath been another time ordained by statute.

C A P. X.

The length and breadth of Cogware and Kendal cloth.

ITEM, although it be ordained by divers statutes, that all manner of cloths of ray and of colour shall be of a certain length and breadth comprised in the same statutes, nevertheless, for as much as it hath been a common custom to make certain cloths in divers counties of *England*, called *Cogware* and *Kendal* cloth, of the breadth of three quarters of a yard, whereof some be of the price of xl d. and some of v s. and sold to cogmen out of the realm, and also to poor and mean people within the realm, of the which cloths a great part is made of the worst wool within the realm, that cannot well serve for any other cloths: (2) it is accorded and assented, That from henceforth it shall be lawful to every man to make such manner of cloths of the length and breadth as it hath been used before this time, notwithstanding any statute made to the contrary. (3) Provided always, that the makers and workers of such cloths shall not make them of any better wool than they were wont to do. (4) And also it is assented, That all such cloths as be arrested by force or colour of the said statutes or any of them, shall be discharged and redelivered.

CAP. XI.

cloths of certain counties tacked and folded shall not be put to sale before they be opened.

M pur ce qe diverses ynes draps qe sont oveles countees de Somers' Bristoll & Glouc' sont & enrollez ensemble & vendre des queux draps parties sont dirumpez rufes & desaccordant en ne ne sont pas accorren laeure nen null maneparties de mesmes les je sont monstrez pardenes sont fausement overdiverses leynes a grantz perde & damages du entant qe les merchantz atent les ditz draps & les ent hors du roialme pur as foreins sont plusours en point destre mortz & foitz emprisonnez & myfyn & ranceon par les reins & lour ditz draps forfaitz acause del grant & faucine qe sont trouves mesmes les draps quant destaches & overts a desclandre du roialme orest & assentus qe null drap tache ne roulle soit a vendre deins les ditz es uns qils soient overts ine de forfaiture dicelles je les achatours les puisser & conuistre come il en le counte dEssex & qe erours textours & fulnettent lour signes a cheftap qils overont sur cerpeine a limiter par les s de la pees & qe ceste nce comence a tenir lieu de Saint John le Baptischochein avenir. Purveus oits qe apres ce qe les ants ont achates les ditz draps

ITEM, forasmuch as divers plain cloths that be wrought in the counties of Somerset, Dorset, Bristol, and Gloucester, be tacked and folded together, and set to sale, of the which cloths a great part be broken, bruised, and not agreeing in the colour, neither be according in breadith, nor in no manner to the part of the same cloths shewed outwards, but be falsly wrought with divers wools, to the great deceit, loss, and damage of the people, in so much that the merchants that buy the same cloths, and carry them out of the realm to sell to strangers, be many times in danger to be slain, and sometime imprisoned, and put to fine and ransom by the same estrangers, and their said cloths burnt or forfeit, because of the great deceit and falshood that is found in the same cloths when they be untacked and opened, to the great slander of the realm of England; (2) it is ordained and assented, That no plain cloth tacked nor folded shall be set to sale within the said counties, but that they be opened, upon pain to forfeit them, so that the buyers may see them, and know them, as it is used in the county of Essex; (3) and that the workers, weavers, and fullers shall put their seals to every cloth that they shall work, upon a certain pain to be limited by the justices of the peace; and that this ordinance begin to hold place at the feast of Saint John Baptist next following. (4) provided always, That after the merchants have bought the same cloths to carry, and do carry them out of the

The inconveniencies ensuing the carrying over of tacked and deceitful cloth.

No plain cloth tacked or folded made in certain counties shall be put to sale before they be opened.

the

the realm, they may tack them and fold them at their pleasure, for the more easy carriage of them.

draps pur amefner & les amefnent hors du roialme les puisent tacher & rouller a lour volunte par le plus legier cariage dicelles.

CAP. XII.

No shoemaker shall be a tanner, nor tanner a shoemaker.

Ex edit Rast.
Shoemakers.
Cordwainers.
Tanner.

4 H. 4. c. 35.
Rep. 5 Eliz.
c. 8. & 1 Jac. 1.
c. 22.

ITEM, for as much as divers shoemakers and cordwainers use to tan their leather, and sell the same falsly tanned, also make shoes and boots of such leather not well tanned, and sell them as dear as they will, to the great deceit of the poor commons: it is accorded and assented, That no shoemaker nor cordwainer shall use the craft of tanning, nor tanner the craft of shoemaking, and he that doth contrary to this act, shall forfeit to the King all his leather so tanned, and all his boots and shoes so wrought, and shall be ransomed at the King's pleasure, notwithstanding any charter or patent made to the contrary, which if there be any, the King will that they be utterly adnulled and holden for none.

CAP. XIII.

None shall hunt but they which have a sufficient living.

3 Cro. 231.
1 Vent. 103.
5 Mod. 307.
1 Salk. 212.
Allen. 43.
2 Bulstr. 60.

ITEM, forasmuch as divers artificers, labourers, and servants, and grooms, keep greyhounds and other dogs, and on the holydays, when good christian people be at church, hearing divine service, they go hunting in parks, warrens, and connigries of lords and others, to the very great destruction of the same, and sometime under such colour they make their assemblies, conferences, and conspiracies for to rise and disobey their allegiance;

(2) it is ordained and assented, That no manner of artificer, labourer, nor any other layman, which hath not lands or tenements to the value of xls. by year, nor any priest, nor other clerk, if he be not advanced to the value of xl. by year, shall have or keep from henceforth any greyhound, hound, nor other dog to hunt; (3) nor shall they use ferrets, heys, nets, harepipes, nor cords, nor other engines for to take or destroy deer, hares, nor conies, nor other gentlemen's game, upon

None shall
hunt but they
who have sufficient living.

33 E. 1. ft. 5.

ITEM pur ceo qe diverses artificers & laborers & servants & garcions tiegnent levers & autres chiens & es jours de festes qant bones cristiens sont as eglises orants divine service vont chaceants es parkes garennes & conyngers des seignurs & autres a tresgrant destruction dicelles & a la soitz soutz tiel colour sont lour assemblies et reparances & conspiracies pur lever & desobeier a lour ligeance ordeignez est & assentuz qe null maner artificer ne laborer ne null autre lais homme qe nad terres & tenementz a la value de xl s. par an ne null prestre nautre clerc sil ne soit avance a la value de dis livres par an neit ne tiegne desore enavant null leverer ne lerce nautre chien pur chaer ne ne use furettes haies rees harepipes ne cordes ne nulles autres engynnes pur prendre ou destruire savagnie leveres ne conilles nautre desduit des gentils sur peine demprisonnement dun

& qe les justices du pees
vair denquerre & enquer-
e les trespasseurs celle
& les punissent par la
iustidite.

upon pain of one year's impri-
sonment; (4) and that the jus-
tices of peace have power to
enquire, and shall enquire of
the offenders in this behalf, and
punish them by the pain afore-
said.

Justices of
peace shall en-
quire of and
punish the of-
fenders.
19 H. 7. c. 11.
8 El. c. 15.

C A P. XIV.

*shall be no bonds of the double made in the exchequer
for the King's debts.*

M pur ce qe diverses
onissances & autres liens
e tard comencez & faitz
hequer del double pur su-
s dettes & fermes nostre
le Roi autrement qe ne
stre fait en temps passe a
nt disaise des plusours del
accordez est & assentuz
stre seignur le Roi mes-
t toutz les seignurs du
ient a la requeste de la
unalte qe null tielle reco-
e nautre lien del double
t ne pris en leschequer de-
lavant & qe toutz tielles
stances & autres liens qe
aitz a present soient ou-
it cancellez & annullez.
a toutsoitz qe le Roi eit
ante seurete de sa duite
nere accustume.

ITEM, *forasmuch as divers
recognizances and other bonds
be now of late begun and made in
the exchequer of double, for the
surety of debts and fermes of our
lord the King, otherwise than it
was wont to be done heretofore, to
the great hindrance of many of the
people;* (2) it is accorded and as-
sented by our lord the King,
and all the lords of the parlia-
ment, at the request of the
commons, That no such re-
cognizance nor other bond of
the double be made nor taken
in the exchequer from this time
forth; (3) and that all such
recognizances, and other bonds
which be made at this present,
be utterly cancelled and annul-
led. (4) provided always, That
the King have sufficient surety
of his duty in the manner ac-
customed.

There shall be
no bonds made
of the double
in the exche-
quer.

C A P. XV.

*King's castles and gaols shall be rejoined to the bodies of
counties.*

M ordeinez est & assen-
t qe les chastelx & gaoles
i qe soleient estre jointz
ps des countees & sont
severez soient rejoinz a
s les countees.

ITEM it is ordained and
assented, That the King's
castles and gaols which were
wont to be joined to the bodies
of the counties, and be now
severed, shall be rejoined to the
same counties.

Castles and
gaols shall be
rejoined to the
bodies of
counties.

CAP. XVI.

In what case a protection Quia profecturus, or Quia moratur, is not allowable.

ITEM, because that many persons be delayed, as well in actions real as in actions personal, by protection with the cause of Volumus, for that many people, as well such as be not able to be retained in war, as other, by the testimonial of the governors of the marches, captains of garrisons, admirals, and other, do purchase divers protections with clause of Volumus, and with clause Quia profecturus, &c. after that a plea is commenced against them, rather to delay the same plea, than for the King's service, whereas plenty of other sufficient that be not impleaded, may be found to do the King's service in such case, and often do remain in the country without going to the said service, to the great damage of the pursuants, and disturbance of common right; (2) it is therefore ordained and assented, That no protection with clause of *Profecturus* be allowed in any plea, whereof the suit is commenced before the date of the protection, if it be not in a voyage that the King himself goeth, or other voyages royal, or in the King's messages for business of the realm, but they that be impleaded shall make their attornies to answer for them in such pleas, or else they shall tarry themselves if they will. (3) Howbeit, it is not the intent of the making of this statute, but that the protection with clause *Quia moraturus* be allowed in all cases, as it hath been before this time: (4) and if any tarry in the country, without going to their service for the which he is retained,

ITEM pur ceo qe mout gentz sont delaiez sibi action reale come en action fonel par protection ove c Volumus pur ceo que plu gentz sibien tielx qe ne pas ables destre retenuz guerre come autres par moignance des gouvernour marches capitains des germ admirals & autres purcha diverses protections ove c de Volumus & ove clause profectur' &c. apres qe pl comence envers eux pur de mesme le ple plus qe p service le Roi ou assez de tres sufficientz qe ne son empledez poent estre trover servir le Roi en tiel cas l vent demoeurent en pais aler a lour dit service a g damage des pursuantz & destourbanee de comune accordez est & assentuz qe protection ove clause de profectur' ne soit allowe en null dont la suite soit comencee avant la date de tiel protection si ce ne soit en viage en q le Roi mesmes passe ou : viage roial ou es message Roi pur busoignes du roime mes facent tielx empledez attournes pur respoudre eux en tielx plees ou de gent mesmes fils voillent. nest pas lention de cest tut mesqe protection ove c quia moratur' soit allowe toutz cas come ad este fait avant ces heures & si ascun moerge en pais sanz aler service pur quel il soit re outre temps covenable a qil eit ascun protection our

In what case a protection Quia profecturus is not allowable.

Co Lit. 111.b.
1 R. 2. c. 8.

The protection Quia moraturus.

Causes to repeal a protection.

e mesme le service & le celler soit ent duement enne face repeller tielx prons come ad este fait decs heures.

over a convenient time after that he hath any protection, or return from the same service, if the chancellor be thereof duly informed, he shall repeal such protection, as it hath been used before this time.

33 Ed. 1. stat. 1. stat. de protectionibus.

C A P. XVII.

re be in the reversion may be received in a suit commenced against the particular tenant.

EM pur ce qe qaunt tenantz a terme de vie tez en dowere ou par la ley gleterre ou en la taill apres oilite diffue exteint soient edez sont sovent de covyne demandantz qe les tenez demandez envers eux t recoverez & ne voillent en eide ne vouchier a garceux en reversion mes pleen chief tiel plee par ont vent bien qe les tenementz nt perdutz en desheritance eux en reversion accordez je si ascun tiel tenant soit edez & celuy en reversion ie in court & prie destre a defendre son droit a qe le tenant plede al actiu devant soit receu a pleen chief al action sanz asdelay prendre par vouchier prier nonnage ou autre deconque issint qe apres tiel il neit null manere delaie protection esson du service oi commune esson nautre qeconque mes soit la buhastie en tant come puisse par ley & qe jours de grace nt estre donez par discreles juges entre le demandt celuy qest receu en tiel unz doner commune jour ee de terre si le demandt ne voille assenter au fyn demandantz ne soient delaies par cause qe les it pleder ove deux advers.

ITEM, because that whentnants for term of life, tenants in dower, or by the law of England, or in tail after possibility of issue extinct, be impleaded, they be often of the covin of the demandants, that the tenements demanded against them shall be recovered, and they will not pray in aid, nor vouch to warranty them in the reversion, but plead in chief such a plea whereby they know well the tenements shall be lost, in disherison of them in the reversion; (2) it is accorded and assented, That if any such tenant be impleaded, and he in the reversion come into the court, and prayeth to be received to defend his right at the day that the tenant pleadeth to the action, or before, he shall be received to plead in chief to the action, without taking any delay by vouchier, aid, prayer, nonage, or any other delay whatsoever, (3) so that after such receipt he shall have no manner delay by protection, essoin of the King's service, common essoin, nor any other delay whatsoever, but that the business shall be hastened in as much as it may be by the law; (4) and that days of grace be given by the discretion of the judges between the demandant and him that is received in such case, without giving the common day in plea of land, if the demandant will

Leon. 6th

Where he in the reversion may be received to defend his right in a suit commenced against his particular tenant.

Y

not

not assent, to the intent that the demandants be not too much delayed, because they must plead with two adversaries; (5) and in the right of pleas that be now depending in such case, they in the reversion shall be received in the manner aforesaid, at the next day that the parties have in court, although the same parties have pleaded in chief before this time.

He that prayeth to be received, shall find surety of the issues of the lands in demand.

30 Ed. 1. stat. 3.

II. Provided always, That they in the reversion which pray to be received, as before is said, shall find surety of the issues of the tenements demanded for the time that the same demandants be delayed, after the said plea determined between the demandants and tenants, if the judgment pass for the demandant against them in the reversion aforesaid, as well where receipt is counterpleaded, as where it is granted.

fairs. Et en droit des p sont ore pendants en t soient ceux en reversion en manere come devant a prochein jour qe les ont en court tout eient n les parties pledes en ch vant ces heures.

Purveu toutfoits qe c reversion qe prient destre come devant est dit trouve rete des issues des ten demandes pur le temps c mes les demandants soit laies apres le plee termine les demandants & nants si jugement passe demandants envers ceux version avautdits sibies la receite soit contreples la ou ele soit grante.

CAP. XVIII.

In which courts an attaint may be brought upon a false writ given in Lincoln.

ITEM, because that upon the grievous complaint of the reverend father in God the bishop of Lincoln, and the dean and chapter of the church of our lady in Lincoln, made by their petition to our lord the King, and the lords in this present parliament; the mayor and the bailiffs of the city of Lincoln, by the commandment of the King, and the assent of the lords, were enjoined and charged by writ to be before the King and his council in the same parliament at a certain day, with sufficient instruction and information of all the matter comprised in the same petition, with full power and authority, under the common seal of the said city, to answer for them, and the commonalty of the said

ITEM. pur ceo qe a l voufe complaint de rent pier en Dieu levesque cole & le dean & chapitre de nostre dame cole fait par lour petition tre seigneur le Roi & as se en cest present parlement mair & baillifs de la cite Nicole par comandement Roi & assent des seigneurs rent commandes & charg brief destre devant le Roi conseil en mesme la parliament a certain jour ove sufficient instruction & information de la matiere compris en me petition ove suffisceant puissance desoutz le conseil de la dite citee pur pondre pur eux & la co

de mesme la citee sur toutes choses contenues en mesme petition & en outre pur faire recevoir ce que par le Roi & dit conseil seroit ordonnee la partie sur certaine peimite el dit brief le tenour d'icelle petition contenant les choses faictes as ditz evesque & chapitre par gentz de la par colour de leur franchises estoit mande as mesmes mair & baillifs clos deinz icelle avantdit et coment que les mair & baillifs acontenez en le dit brief drent devant le Roi & son conseil en le parlement susdits n'apporterent mye suffisant garrant pur la commune de la dite citee come ils ent en comandement par icel brief et sur ce nostre ditur le Roi del assent des ditz & des autres seignurs mesme le parlement esteantz lefaut des avantdit mair & baillifs & communalte celle e ad procede & examinez icelle petition & les grevances enuz en ycell. Et auxint ce que commune clamour y e plusours des liges le Roi souffert sovent diverses injures en la dite citee acause que franks tenementz deins ne la citee trespasseront & autres choses sourdes deins mesme la citee triables par assise jurre ou enqueste este tries par gentz de ne la citee & sont si favorables chescun a autre qils ne ent gers faux serement & n'ir cause qils sont si enbaupar encheson qils nont pas devant ces heures par code leur franchise convictez foreins nostre seigneur le voillant pur les causes suspurvoir pur la quiete du

said city, upon all things contained in the same petition, and further to do and receive that which shall be ordained by the King and his council in that behalf, upon a certain pain limited in the same writ; the tenour of which petition, containing the grievances done to the said bishop and chapter by the people of the city of Lincoln, by colour of their franchise, was sent to the said mayor and bailiffs closed within the said writ; and though the said mayor and bailiffs, at the day contained in the same writ, came before the King and his council in the parliament aforesaid, yet they did not bring any sufficient warrant from the commonalty of the said city, as they had in commandment by the said writ; and upon that our said lord the King, by the assent of the prelates and other lords in the same parliament being, by default of the mayor, bailiffs, and commons aforesaid in that behalf, hath proceeded and examined the said petition, and the grievances therein contained: (2) and also because that a common clamour hath been, that many of the King's lieges often have suffered divers injuries in the said city, because in respect of freeholds within the same city, trespasses, contracts, and other things rising within the same city, triable by assise, jury, or inquest, have been tried by people of the same city, which be so favourable one to another, that they doubt not to make false oaths, and that because they be encouraged, forasmuch as they have not been before this time convicted by foreigners, by colour of their franchise: (3) our lord the King willing, for the causes aforesaid, to provide for the quietness of the said church, and full right to be done as

The inconveniences ensuing of partial trials of suits in Lincoln by the people only of the same city.

Upon a false verdict given before the mayor and bailiffs of Lincoln, an attain taint may be brought and tried by foreigners of the county.

3 H. 5. c. 5.
Regist. 121.

well to the said bishop, dean and chapter, and their successors, as to all other in time coming, hath ordained and stablished in that behalf, that in assises, juries, and all other inquests that shall be taken between party and party, before the mayor and bailiffs of the same city for the time being, if any of the parties feel himself grieved of a false oath made by such assise, jury, or inquest, the attain taint shall be granted to him, and the record sent by writ into the King's bench, or into the commonpleas, (4) and that the sheriff impanel the jury of such attain taint of foreigners of the county, without sending to the franchise of the said city, and that the justices shall take the same jury of the same foreigners, notwithstanding any franchise granted to the same city, or other usage to the contrary.

dite esglise & plein droit fait sibien as ditz eveſque de chapitre & leur ſucceſſours me a toutz autres en temp venir celle partie ad ordeir eſtabli qen aſſiſes jurree toutz autres enqueſtes qe ſer pris entre partie & partie vant les mair & baillifs del te citee qe pur le temps ſer ſi aſcun des parties ſe plein faux ſerement fait par tiel jurre ou enqueſte latteint ſoit grante & le record mande par brief en bank le ou en commune bank & viſcont arraie en la jurre de atteinte des foreins du coſanz mander a la franchiſ dite citee & qeles juſtices p nent meſme la juree de me les foreins nient contreſſ aſcune franchiſe grante au citee ou autre uſage au con re.

CAP. XIX.

A confirmation of ſtat. 13 EWD. 1. ſtat. 1. cap. 47. ſouc taking of ſalmons.

4 Inst. 31.

A confirmation of the ſtatute of the 13 Ed. 1. ſtat. 1. c. 47. Touching the prohibiting of ſalmons to be taken certain times of the year.

There ſhall be no devices praſchised whereby the fry of fiſh ſhall be deſtroyed.

ITEM, *whereas it is contained in the ſtatute of Weſtmeſter the ſecond, that young ſalmons ſhall not be taken nor deſtroyed by nets, nor by other engines, at mill-dams, from the miſt of April till the nativite of St. John Baptiſt, upon a certain pain limited in the ſame ſtatute; it is accorded and aſſented, That the ſaid ſtatute be firmly holden and kept, (2) joyning to the ſame, That young ſalmons ſhall not be taken, during the ſaid time, at mill-dams, nor in other places, upon the ſame pain. (3) And that no fiſher, or garth-man, nor any other, of what eſtate or condition that he be, ſhall from henceforth put in the waters of *Thamiſe, Humber, Ouſe, Trent,**

ITEM come contenuz ſe leſtatut de Weſtm' ſe qe ſalmonceux ne ſoient p ne deſtruitz par rees ne pa tres engines a leſtankes molyns de mye April ta nativite de Seint Johan le tiſtre ſur certeine peine li en meſme leſtatut accorde & aſſientuz qe le dit eſtatu ſerement tenuz & garde; joute a ycell qe ſalmonce ſoient priſes par le dit ten leſtankes des molyns ne ail ſur meſme la peine & qe peſchour ne garthman ne autre de quell eſtat ou cor on qils ſoit ne mette d enavant en les ewes de Th ſe Humber Ouſe Trent null autre ewe du roialme

nor

temps ne par null autre
del an ascuns rees appel-
alkers noutres rees nen-
queconques par les quelles
ou brood des salmons
reisou dautre peisson que-
purra en ascun manere
pris ou destruit sur la pei-
sfdite. Et auxint come
tutz soit en mesme lesta-
tutz les ewes es queux
ns sont prises en le roial-
ent mises en defens qant
e des salmons del jour de
ivite de nostre dame tan-
ur de Seint Martyn or-
z est & assentuz qe les
de Lone Wyre Mersee
l & toutz autres ewes el
e de Lancastre soient mi-
defense qant al prise des
s del jour de Seint Mi-
nqe al jour de la Purifi-
de nostre Dame & en
tre temps del an a cause
almons ne sont pas seiso-
en les ditz ewes par le
suisfdite. Et es parties
x rivers sont soient assig-
jurrez bones & suffice-
onservatours de cest esta-
me est ordeignez en le
atut de Westm' & qils
nt les trespasseurs solonc
ne contenuz en mesme
t sanz ascun favour ent

nor any other waters of the
realm by the said time, nor in
other time of the year, any nets
called stalkers, nor other nets
nor engines whatsoever they be,
by the which the fry or the
breed of the salmons, lampreys
or any other fish, may in any
wise be taken or destroyed, up-
on the pain aforesaid. (4) *And
also where it is contained in the
same statute, that all the waters
in the which salmons be taken with-
in the realm, shall be put in de-
fence as to the taking of salmons,
from the day of the Nativity of
our Lady, until St. Martin's day;*
(5) it is ordained and assented,
That the waters of *Lon, Wyre,
Mersee, Ribbyl*, and all other
waters in the county of *Lancas-
ter*, be put in defence, as to the
taking of salmons, from *Mich-
aelmas* day to the *Purification* of
our Lady, and in no other time
of the year, because that sal-
mons be not seasonable in the
said waters in the time aforesaid.
And in the parts where such
rivers be, there shall be assigned
and sworn good and sufficient
conservators of this statute, as
it is ordained in the said statute
of *Westminster*, and that they
shall punish the offenders after
the pain contained in the same
statute, without any favour
thereof to be shewed.

What time of
the Year the
rivers in the
county of
Lancaster shall
be in defence.

Conservators
of this statute,
and their au-
thority.

17 R. 2. c. 9.

CAP. XX.

*sort of persons only may pass forth of the realm without
the King's licence, and at what ports.*

M. for certain causes shewed in this parliament the King will
command by the assent of the lords in this parliament, that all
s and all other people, except notorious and known merchants, and
ldiers and men of arms that will pass by the sea out of
lm, shall pass at the ports of *Dover* or *Plymouth* and not
here, without especial licence of the King himself, but
at will pass toward *Ireland*, shall pass at *Liverpool*, *Chester*,
or else where, where shall please them.

Exedit Rast.
Pilgrims.
Merchants.
Soldiers.
Rep. 21 Jac. 2.
c. 28.

REX vicecomiti Kanc' salutem. Quedam statuta per nos Magnatum & Communitatum regni nostri Anglie in parliamento apud Westm' die Lune proximo post festum sancti Hilarii i teritum tento facta que tibi mittimus sub magno sigillo nostro in tenti tibi precipimus quod infra comitatum predictum in locis expediens fuerit sine dilatione legi & publice ex parte nostra ac firmiter teneri & observari facias juxta formam statutorum pr Et hoc sub incumbenti periculo nullatenus omittas.

T. R. apud Westm' xvi. d

Consimilia brevia diriguntur singulis vicecomitibus per A Johanni Duci Aquitanie & Lancastrie vel ejus Cancellar ducatu Lancastrie.

Other statutes made at *Westminster*, Anno 13
II. stat. 2. and *Anno Dom.* 1389.

CAP. I.

In a pardon of murder, treason, or rape, the offence shall be specified. The forfeiture of him at whose a pardon is obtained.

OUR lord the King, at his parliament holden at Westminster the Monday next after the feast of Saint Hillary, the thirteenth year of his reign, hearing the grievous complaint of his said commons in the same parliament, of the outrageous mischiefs and damages which have happened to his said realm, for that treasons, murders, and rapes of women be commonly done and committed, and the more because charters of pardon have been easily granted in such cases; (2) the said commons requested our lord the King, That such charters might not be granted; to whom the King answered, That he will save his liberty and regality, as his progenitors have done heretofore; (3) but to nourish the more quietness and peace within his realm, by the assent of the great men and nobles, being in the same parliament, he hath granted, That no charter of pardon from henceforth shall be allowed before any justice for murder, or for the death of

NOSTRE seignur son parlement Westm' Lundy proch le fest de Seint Hill son regne trefzisme o vouse compleint de si nalte en mesme le 1 des outrageouses me damages que sont ave dit roialme pur ceo q murders & rapes des sont trop communen & perpetres & ceo li ceo que chartres de p: este trop legerement en tieux cases la dite pria a nostre seignur tieux chartres ne fui grauntez a quoi nost le Roi respondy qil v ver sa libertee & reg ses progenitours ont ces heures mes pur li quiete & pees nurrir roialme del assent des nobles en mesme le 1 esteantz ad grantez chartre de pardon & alowe devant quicon pur murdre mort de bi

In a pardon for murder, treason, rape, &c. the offence committed shall be specified.

ar agait assaut ou malice
 nse trefon ou rape de fem-
 mesme le murdre ou mort
 mme occys par agait as-
 nu malice prepenſe trefon
 de de femme ne soient es-
 z en mesme la chartre.
 a chartre de mort de hom-
 it alegge devant qiconques
 s en quelle chartre ne
 pecifie qe celui de qi mort
 tiel soit arreigne feust
 res ou occis par agait as-
 a malice prepenſe enquer-
 les justices par bone en-
 del visne ou la mort fust
 sil fust murdre ou occys
 fait assaut ou malice pre-
 & fils trovent qil fust
 y ou occis par agait assaut
 ilice prepenſe soit la char-
 salowe & soit fait outre
 ceo qe la ley demande.
 ascun prie au Roi pur
 e de pardon pur murdre
 de homme occys par as-
 saut ou malice prepenſe
 ou rape de femme si le
 herleyn endose tiel bille
 ce endoser mette le noun
 uy qe pria pur tiele char-
 mesme la bille sur peine
 marcz & si le southcham-
 n endose tielle bille face
 ablement sur peine de
 centz marcz et qe null
 ce chamberleyn ou south-
 herleyn endose ne face en-
 nul tielle bille sur peine de
 cz & qe tielle bille soit
 : & directe al gardeyn du
 seal & que null garant du
 seale soit fait pur tiel char-
 voir sinon qe le gardein
 ve seale eit tielle bille en-
 ou signe par le chamber-
 u southchamberleyn come
 est dist. Et qe null char-
 pardon de trefon ne dau-
 onie passe la chauncellarie
 garant du prive seale for-
 qe

a man slain by await, assault, or
 malice prepenſed, treason, or
 rape of a woman, unless the
 same murder, death of the man
 slain by await, assault or malice
 prepenſed, treason, or rape of
 a woman, be specified in the
 same charter. (4) And if a
 charter of the death of a man
 be alledged before any justices,
 in which charter it is not speci-
 fied, that he of whose death
 any such is arraigned, was
 murdered or slain by await, as-
 fault, or malice prepenſed, the
 same justices shall inquire, by a
 good inquest, of the *visne* where
 the dead was slain, if he were
 murdered or slain by await, as-
 fault, or malice prepenſed, and
 if they find that he was mur-
 dered or slain by await, assault,
 or malice prepenſed, the char-
 ter shall be disſallowed, and
 further it shall be done as the
 law commandeth. (5) And if
 any be a suiter to the King for
 a charter of pardon for murder,
 death of a man slain by await,
 assault, or malice prepenſed,
 treason, or rape of a woman, if
 the chamberlain endorſe, or
 cause to be endorſed such bill,
 he shall set the name of him
 that maketh suit for such char-
 ter upon the same bill, upon
 pain of one thousand marks,
 and if the under-chamberlain
 endorſe such bill, he shall do
 likewise, upon pain of five hun-
 dred marks; (6) and that none
 other than the chamberlain or
 under-chamberlain endorſe nor
 cause to be endorſed any such
 bill, upon pain of one thousand
 marks: (7) and that such bill
 be sent and directed to the
 keeper of the privy seal. (8)
 And that no warrant of the
 privy-seal be made to have such
 charter, unless the keeper of the
 privy-seal

Kelyng, 125.
 Bro Chart. 10.
 Plowd. 401.

Ex edit Pult.

No pardon of treason or felony shall pass without warrant of the privy-seal.

The forfeiture of him at whose suit such a pardon is obtained.
Rep. by 16 R.
2. c. 6.

privy-seal have such bill endorſed or ſigned by the chamberlain or under-chamberlain, as afore is ſaid. (9) And that no charter of pardon, of treason, nor of other felony, paſs the chancery without warrant of the privy-seal, but in caſe where the chancellor may grant it of his office, without ſpeaking thereof to the King. (10) And if he, at whoſe ſuit any charter of pardon for murder, death of a man ſlain by await, aſſault, or malice, prepenſed, treason, or rape of a woman, be granted, be an archbiſhop or duke, he ſhall pay to the King one thouſand pound: and if he be a biſhop or earl, he ſhall pay to the King one thouſand marks; and if he be an abbot or prior, baron or banneret, he ſhall pay five hundred marks; and if he be a clerk, bachelor, or other of leſs eſtate, of whatſoever condition that he be, he ſhall pay to the King two hundred marks, and have one year's imprisonment.

qe en cas ou le chaunceller le puiſſe grantier de ſon office ſanz ent parler au Roi. Et ſi celuy a qi prier aucune chartre de pardon pur mordre mort de homme tue par agait aſſaut ou malice prepenſe treſon ou rape de femme ſoit grante ſoit archieſque ou duc paie au Roi $\frac{1}{2}$ livres et ſil ſoit eſeſque ou count paie au Roi $\frac{1}{4}$ marcz et ſil ſoit abbe priour baron ou banneret paie au Roi cynk centz marcz et ſil ſoit clerc bachelor ou autre de meindre eſtat de quele condition qil ſoit paie au Roi deux centz marcz & eit lempriſonement dun an.

CAP. II.

A confirmation of the statute of provisors, made Anno 25 EDW. 3. stat. 6. and the forfeiture of him that accepteth a benefice contrary to that statute.

ITEM, *whereas the noble King EDWARD, grandfather to our lord the King that now is, at his parliament holden at Westminster at the Utas of the Purification of our Lady, the five and twentieth year of his reign, caused to be rehearsed the statute made at Carleil in the time of King EDWARD, son of King HENRY, touching the estate of the holy church of England; the said grandfather of the King that now is, by the assent of the great men of his realm, being in the same parliament, holden the said five and twentieth year, to the honour of GOD and of holy church, and of all his realm, did ordain and establish, that the free elections of archbishops, bishopricks, and all*

ITEM come le noble Roi EDWARD aiel nostre seigneur le Roi qor est a son parlement tenuz a Westm' al octaves del Purification nostre Dame lan de son regne vynt & quynt fist reciter lestatut fait a Kardoile en temps son aiel le Roi EDWARD fitz au Roi HENRY touchant lestat de seint esglise dEngleterre le dit aiel nostre seigneur le Roi qore est del assent des grantz de son roialme en mesme le parlement tenuz le dit an vynt & quynt esteantz al honour de Dieu & de seint esglise & de tout son roialme ordeigna & establist qe franks elections des ercheveschies eveschies & touz autres dignitees & benefices electives en Engleterre

le tendroient delors en ma-
come eles feurent graun-
er ses progenitours & par
uncestres des autres seig-
foundours & toutz pre-
& autres gentz de seint es-
que avoient avowelons de
ques benefices de don le
ou de ses progenitours ou
es seignurs & donours
it franchement leur colla-

& presentementz et sur
certein punyissement estoit
gnee en mesme lestatut pur
que acceptont ascun dignite
benefice au contraire du dit
it fait a Westm' le dit an
come devaunt est dit le
estatur nostre seignur le
ad fait recitier en cest pre-
parlement al request de sa
munalte en mesme le par-
at la tenure de quele esta-
st tiel come sy ensuyt:

OME jadyz en le parle-
" &c. [prout, St. 25 E. 3.
fol. 63 *usque* Et doit
estatur tenir lieu comence-
loetaves fuisditz.] Et ou-
nostre dit seignur le Roi
est de lassent des grantz de
roialme esteantz en cest
nt parlement ad ordeigne
abli que de toutz archeves-
eveschees & autres digni-
benefices electives & au-
enefices de seint esglise que-
es que comencerent destre
z de fait le vint & noesif-
our de Januer lan du reg-
ostre dit seignur le Roi
ARD treszisme ou puis ou
voidront en temps avenir
le roialme dEngleterre le
tatut fait le dit an xxv. soit
ement tenuz pur touz jours
ys en due execution de
sen temps en toutz pointz.
ascun face ascun acceptati-
ascun benefice de seint es-
a contrarie de cest estatut
&

*all other dignities and benefices
elective in England, should hold
from thenceforth in the manner as
they were granted by his progeni-
tors, and by the ancestors of other
lords founders: (2) and that all
prelates and other people of holy
church, which had advowsons of
any benefices of the gift of the
King, or of his progenitors, or of
other lords and donors, should freely
have their collations and present-
ments; and thereupon a certain
punishment was ordained in the
same statute for them which ac-
cept any benefice or dignity contra-
ry to the said statute made at
Westminster the said twenty-
fifth year, as afore is said; which
statute our lord the King hath
caused to be recited in this present
parliament at the request of his
commons in the same parliament,
the tenor whereof is such as here-
after followeth: 'Whereas late in
the parliament of good memory of
EDWARD, King of England &c.'*
[rehearsing the whole statute
made the said twenty-fifth
year.] ----And then thus: (3)
our lord the King that now is,
of the assent of the great men
of his realm, being in this pre-
sent parliament, hath ordained
and established, That for all
archbishopricks, bishopricks,
and other dignities and benefi-
ces elective, and all other bene-
fices of holy church, which
shall begin *to be void in deed
the twenty-ninth day of Ja-
nuary, the thirteenth year of
the reign of our lord King
RICHARD that now is, or after,
or which shall be void in time
to come within the realm of
England, the said statute made
the said twenty-fifth year shall be
firmly holden for ever, and put
in due execution from time to
time in all manner of points.

For all benefi-
ces which shall
be void after
the 29th of Ja-
nuary, An. 13.
R. 2. the sta-
tute of 25 Ed.
3. stat. 6. of
provisors, shall
be put in
execution.

* Have begun.

If any do accept of a benefice contrary to the said statute of 25 Ed. 3. stat. 6. he shall be banished the realm.

(4) And if any do accept of a benefice of holy church contrary to this statute, and that duly proved, and be beyond the sea, he shall abide exiled and banished out of the realm for ever, his lands and tenements, goods and chattles shall be forfeit to the King; (5) and if he be within the realm, he shall be also exiled and banished, as afore is said, and shall incur the same forfeiture, and take his way, so that he be out of the realm within six weeks next after such acceptation.

The punishment of the receivers, procurators, &c. of offenders.

(6) And if any receive any such person banished coming from beyond the sea, or being within the realm after the said six weeks, knowing thereof, he shall be also exiled and banished, and incur such forfeiture as afore is said. (7) And that their procurators, notaries, Executors, and summoners have the pain and forfeiture afore said.

Beneficed persons, unto whom the pope had before given dignities of the church excepted.

II. Provided nevertheless, that That all they to whom the pope of *Rome*, or his predecessors, have provided any archbishoprick, bishoprick, or other dignity, or other benefices of holy church, of the patronage of people of holy church, in respect of any voidance before the said xxix. day of *January*, and and thereof were in actual possession before the same xxix. day, shall have and enjoy the said archbishopricks, bishopricks, dignities, and other benefices peaceably for their lives, notwithstanding the statutes and ordinances afore said. (2) And if the King send by letter, or in other manner to the court of *Rome*, at the intreaty of any person, or if any other send or sue to the same court, whereby

The penalty of suing to the court of *Rome* to infringe the purport of this statute.

& ce duement prove & si par dela demurge exile & ny hors du roialme pur jours & ses terres tenebiens & chateaux forfaitz: & si soit deinz le roialme il auxi exile & banny covant est dit & encourage la forfaiture & preigne somyn issint qil soit hors d'aulme deinz sys semaines apres tiel accept. Et si aucun receite aucun tennement venant de par dela & teantz deinz le roialme les sys semaines avant conisant de ce soit auxi & banny & encourage auti faiture come devant e. Et qe leur procuratours & executours & somonours la forfaiture & peyne sus

Purveu nepurquant qe yceux as queux nostre se ere le pape ou ses predeces ont purveu aucun erceveveschee ou autre dignite benefices electives ou autres benefices de seint esglise & tronage des gentz de seglise a cause devoidance & le dit xxix jour de Jan ent furent en corporel possession devaunt mesme le xxix eient & enjoient leur dits veschees eveschees dignite benefices paisiblement puvies nient contresteauntz & tatutz & ordinance avant. E si le Roi envoie par lettres en autre manere a la cour de Rome a l'excitation d'aucun sone au si aucun autre ou prie a mesme la cour rount qe la contrarie de c' tatut soit fait touchant erceveschee eveschee dignite autre benefice de seint deinz le dit roialme & si fait tiel excitation ou tiel

any

elate de seinte esglise
Roi le value de ses tem-
porel paie au Roi le
le ses terres & possessions
noebles dun an. Et fil
re persone destate puis
e au Roi la value du be-
e pur quel tiel prier soit
eit la prisone dun an. Et
tention du cest estatut
outz dignites & benefices
t esglise qestoient voidez
le dit xxix. jour de Ja-
ueux sont donez ou as
soit purveu par lappos-
evant mesme le xxix.
e ceux as queux tielx
ou provisions soient faitz
it franchement des tiels
& provisions fuer ex-
sanz offence de cest es-
Purveu toutzfoitz qe de
dignite ou benefice ge-
lein le dit xxix. jour de
r null a cause dascun don
on reservation & provision
utre grace de lappostoill
nge nient execute devaut
xxix. jour ne fue ent exe-
sur les peynes contenuz
t present estatut.

all the said xxix. day of
on, gift, reservation, and provision, or other grace papal,
recuted before the said xxix. day, shall not sue thereof
tion, upon the pains and forfeitures contained in this
it statute.

any thing is done contrary to
this statute, touching any arch-
bishopruck, bishoprick, dignity,
or other benefice of holy church
within the said realm, if he that
maketh such motion or suit be
a prelate of holy church, he
shall pay to the King the value
of his temporalties of one year;
(3) and if he be a temporal
lord, he shall pay to the King
the value of his lands and pos-
sessions not moveable of one
year; (4) and if he be another
person of a more mean estate,
he shall pay to the King the va-
lue of the benefice for which
suit is made, and shall be im-
prisoned one year. (5) And
it is the intent of this statute,
that of all dignities and benefi-
ces of holy church, which were
void indeed the said xxix. day
of *January*, which be given, or
to whom it is provided by the
pope of *Rome* before the same
xxix. day, that they to whom
such gifts or provisions be
made, may freely of such gifts
and provisions sue execution
without offence of this statute.

(6) Provided always, That of
no dignity or benefice which

Benefices full
of an incum-
bent 29 die
Jan. ann.

13 R. 2.

12 R. 2. c. 15.

Raft. 465.

CAP. III.

*penalty of him which bringeth a summons or excommuni-
cation against any person upon the statute of provisors, and
a prelate executing it.*

EM ordeigne est & establi
si ascun port ou envoie
le roialme ou le poair
dit seignur le Roi ascun
nces sentences ou esco-
mentz envers ascun per-
de quel condition qil soit
se de la motion selsance as-
sent

ITEM, it is ordained and es-
tablished, That if any man
bring or fend within the realin,
or the King's power, any sum-
mons, sentences, or excom-
munications against any per-
son, of what condition that he
be, for the cause of making
motion,

The penalty
of him who
bringeth any
summons, sen-
tence, &c.
against any
person upon
the statute of
provisors.

The penalty
of a prelate
executing the
sentence, &c.

Altered by
1 Eliz. c. 1.
3 Inst. 100.

motion, assent, or execution of the said statute of provisors, he shall be taken, arrested, and put in prison, and forfeit all his lands and tenements, goods and chattles for ever, and incur the pain of life and of member. (2) And if any prelate make execution of such summons, sentences, or excommunications, that his temporalities be taken and abide in the King's hands, till due redress and correction be thereof made. (3) And if any person of less estate than a prelate, of what condition that he be, make such execution, he shall be taken, arrested, and put in prison, and have imprisonment, and make fine and ransom by the discretion of the King's council.

sent ou execution du di des proviseurs soit il p restuz & mys en prison face toutz ses terres mentz biens & chate toutz jours & outre enco peyne de vie & de mem si aucun prelat face ex des tieux somonces se ou escomengementz qe poraltes soient prises & gent es mayns nostre d nur le Roi tanqe due & correction en soit fa si aucun person de meyn tate qe prelat de quel co qil soit face tiel executi pris & arestuz & mys en & eit emprisonement fyn & raunceon folonc cretion du conseil noll seignur le Roi.

REX vicecomiti Kanc' salutem. Precipimus tibi firmiter injun quod quedam statuta & ordinationes per nos de assensu Mag & Communitarum regni nostri Anglie in parlamento nostro apud ultimo tento facta que tibi mittimus sub magno sigillo nostro in for tenti infra comitatum tuum in locis ubi magis expediens fuerit sine one legi & publice ex parte nostra proclamari ac firmiter teneri & vari facias juxta formam statutorum & ordinationum predictorum hoc sub incumbenti periculo nullatenus omittas.

Teste Rege apud Westm' xv. die 1

Consimilia brevia diriguntur singulis vicecomitibus per Angliam

An ordinance made at Westminster to prevent maintenance in judicial proceedings. 13 RICH. II. st.

LE Roi al viscont de Kent salut. Come par les le custumes de nostre roialme queux nous sumes tenuz der par serement fait a nostre coronement touz noz lieges mesime le roiaume sibien povres come riches deussent fraiment suer defender rescyver & avoir justice & droit & acor sement & execution dicelles en quelconques noz courtes lours sanz estre destourbez ou oppressez par maintenance ne ce ou autre manere queconqe & ore est einfy qen plusour parlementz tenuz devant ces heures & meement es parlen darrein tenuz a Canterbr' & Westm' grevous pleint & granmour nous ad este faite sibien par seignurs espirituelx & te

rels come par les communes de nostre dit roialme des grantz & outrageoues oppressions & maintenances faitz en damage de nous & de nostre poeple en diverses parties de mesme le roiaume par diverses maintenours menours baretours procurours & embraceours de quereles & enquestes en paiis des queux plusours sont le plus embaudez & hardyz en leur maintenance & malvestees fuifditz pur ceo qils sont de retenue des seignurs & autres de nostre dit roiaume as fees robes & autres liverrees appelez liverrees de compaignie. Si avons ordenez & estroitement defenduz de ladvy de nostre grant conseil qe null prelat nautre homme de seint esglise ne bachiler ne esquier nautre de meindre estat ne donne nulle manere de tiel liverree appelle liverree de compaignie & qe nul duc cont baron ou baneret ne donne tiel liverree de compaignie a chivaler ne esquier fil ne soit retenuz ovefque luy a terme de vie pur pees & guerre par endenture sanz fraude ou male engyne ou qe soit mesnal & familier demurant en son hostell ne a nul vallet appelez yoman archer nautre de meindre estat qe esquier fil ne soit ensement familier demurant en son hostell. Et qe toutz seignurs espirituels & temporels & toutz autres de quele condition ou estat qils soient oustent tout outrement touz tielx meyntenours menours baretours procurours & embraceours de quereles & enquestes de leur fees robes & touz maneres liverrees & de leur service compaignie & retenu sanz aucun tiel recevoir a leur retenu en quelconque manere en temps avenir et qe nul seigneur espirituel ne temporel ne nul autre qad ou avera gentz de sa retenue ne soeffre nuls qe soient devers luy estre maintenour menour baretour procurour ou embraceour des quereles & enquestes en paiis en nul manere mes les ouste de son service & retenue come devant est dit a plus tost qil poet estre ascertein. Et qe si aucun seigneur ouste aucun tiel maintenour menour baretour procurour ou embraceour de sa compaignie pur celle cause qe adonques nul autre seigneur luy reteigne ne receive de sa retenue ne de sa compaignie en nul manere. Et qe null de noz lieges grant ne petit de quele condition ou estat qil soit soi il de retenue dascun seigneur ou autre persone queconque qe ne soit mye de retenue nenpreigne querele autre qe sa propre ne la maintiegne par luy ne par autre en prive nen appert. Et qe touz yceux qe usent & portent tiel liverree appelle liverree de compaignie a contraire de ceste nostre ordenance les lessent tout outrement deinz dys jours apres la proclamation de mesme ceste ordenance sanz les plus user ou porter en apres. Et qe ceste nostre ordenance soit tenue & fermement garde & duement execute en touz pointz sibien par ceux qont ou averont gentz de leur retenue come par touz autres personnes en ce qe a eux appartient touchant mesme ceste ordenance sur peine demprisonement fyn & raunceon ou destre puniz in autre manere solonc ceo qe soit avis a nous & a nostre conseil pur qoi vous mandons & chargeons qe maintenant veuez cestes si facez publier & proclamer ceste nostre ordenance en citees burghs villes merchantz & autres lieux publiques deinz vostre baillie sibien deinz franchise
come

come dehors & le facez estre tenuz & duement executz en tous pointes. Don souz nostre grant seal a Westm' le xii. jour de Maii.

Per ipsum Regem & concilium.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam.

Statutes made at *Westminster*, Anno 14 RICH. II.
and *Anno Dom.* 1390.

FOR the relief and increase of the common profit of the realm of England, and of the lands of Wales and Ireland, which have been in divers manners greatly hindered in times past; our lord the King, at his parliament holden at Westminster the morrow of St. Martin, the fourteenth year of his reign, hath ordained and established, by the assent of the said parliament, the things under-written.

PUR relevation & encrese du commune profit du roialme d'Engleterre & des terres de Gales & d'Irland qad este en diverse manere grantement arierisse en temps passe sy ad nostre seigneur le Roi a son parlement tenuz a Westm' lende-mayn de Seint Martyn lan de son regne quatorziesme ordeine & establi del assent de son dit parlement les choses desouz escriptz.

C A P. I.

The staple shall be removed from Calais into England. Every alien merchant shall bestow half the money received upon the commodities of this realm.

a Inst. 741.
The staple shall be removed from Calais to those towns in England which were named in An. 27 Ed. 3. stat. 2.
c. 1.

FIRST, That the staple be removed from *Calais* into *England*, so that it be in *England* the *Monday* next after the feast of the *Epiphany* at the furthest: (2) and that it be holden in the places contained in the statutes of the staple, made in the seven and twentieth year of the King's grandfather that now is, and in none other place. (3) And that the said statute be firmly and surely holden, and duly executed in all points, with the additions under-written, notwithstanding any declaration or statute made since to the contrary, that is to say, That every person alien, of what degree or condition that he be, that bringeth any merchandise into *England*, shall find

EN primes qe lestaple soit remuee de Caley en Engleterre issint qil soit en Engleterre Lundy prochein apres le fest de la Tiffanie a pluistard qil soit tenuz es lieux contenuz en lestatut de lestaple fait lan xxvii. laiel nostre dit seigneur le Roy & en null autre lieu. Et qe le dit estatut soit tenuz & gardez & duement execut en toutz pointz ove les additions desouz escriptz nient contrestant aucune declaration ou estatut fait depuis a contraire cestassavoir qe chescune persone aliene de quelle degre ou condition qil soit qamefine aucun merchandise en Engleterre trove sufficeante seurete devant les custumers el port ou la ditte merchandise terra amefine marchandz

Every merchant alien shall bestow the value of half his mer-

autre merchandise a la de la moite du dite merchandise issint amefne au meyns leyns quirs peaux lanutz esteyin bure furmage ou autre commoditees de e,

find sufficient sureties before the customers, in the port where the merchandise, shall be brought, to buy other merchandise, to the value of half the said merchandises so brought at the least, as wools, leather, woofsels, lead, tin, butter, cheefe, cloths, or other commodities of the land.

chändises upon the commodities of this realm. Altered by 4 H. 4. c. 15. 27 H. 6. c. 3. 17 Ed. 4. c. 1. 3 H. 7. c. 8.

C A P. II.

exchanges by aliens, other commodities of the realm shall be bought.

M qe pur chescun eschaunge qe serra fait par iantz a la court de Rome llours qe les ditz merz soient fermement & ent liez en la chancellerie ter deinz trois moys apres eschaunge faite marchande lestaple come leyns peaux lanutz & plumb eyin bure furmage draps itres commoditees de la a la value de la somme ischaunge sur forfaiture le.

ITEM, That for every exchange that shall be made by merchants to the court of Rome, or elsewhere, that the said merchants be firmly and surely bound in the chancery, to buy within three months after the said exchange made, merchandises of the staple, as wools, leather, woofsels, lead of tin, butter or cheefe, cloths, or other commodities of the land, to the value of the sum so exchanged, upon pain of forfeiture of the same.

11 H. 4. c. 8. 9 H. 5. c. 9.

Upon exchange, other commodities of the realm shall be bought.

C A P. III.

rs of the staple shall be first sworn to the King, and then to the staple.

EM, That in every port and place where the staple shall be, the mayors, constables, brokers and all other officers and ters of the staple shall be sworn first to the King, and after to the staple.

Ex edit. Puist. Officers of the staple shall be sworn. 27 Ed. 3. stat. 2. c. 23.

C A P. IV.

whom denizens may buy wools, and where; but they shall not regrade them.

EM, to keep the price of wools the better, That no denizen of England, shall buy no wools but of the owners of the and of the tithes, except in the staple: and that no denizen regrade wools nor other merchandises of the staple privily apertly, upon pain to forfeit the value of the thing regraded and that the justices of peace in the country have power to inquire, and shall inquire from time to time of such English regraders and of the weights of the staple, and punish them by the aforesaid. And that no Englishman buy any wool of any n, but for himself or for his own use, as to sell at the staple, or to make cloth.

Ex edit. Rast. Wools. Staple. Denizen. Justice of peace. Rep. by 21 Jac. 1. c. 28.

CAP. V.

No denizen shall transport any merchandise of the shipp forth of the realm.

Denizens shall not transport wool, &c.

ITEM, That no denizen carry wools, leather, woollfells, nor lead out of the realm of *England*, to the parties beyond the sea, upon pain of forfeiture of the same, but only strangers.

27 Ed. 3. stat. 2. c. 3.

ITEM qe null deinz mesme leynes quirs lanutz ne plumb hors roialme dEngleterre as p dela sur peyne de forfaiture celle mes soulement e gers.

CAP. VI.

English merchants shall freight only in English ships

Freighting in English ships.

ITEM, That all merchants of the realm of *England* shall freight in the said realm the ships of the said realm, and not strange ships; so that the owners of the said ships take reasonable gains for the freight of the same.

5 R. 2. stat. 1. c. 1.
6 R. 2. c. 8.
4 H. 7. c. 10.
1 Eliz. c. 13.

ITEM qe toutz les chantz de roialme de terre frettent en le dit ro les niefs du dit roialm nemye niefs esstraunges issi les possesseurs des ditz preignent resonablement la frette dicelles.

CAP. VII.

Tin shall pass forth of the realm only at Dartmouth

Rep. 21 Jac. 1. c. 28.
Ex edit. Raff.

ITEM that the passage of tin out of the realm shall be at port of *Dartmouth*, and in no place else.

CAP. VIII.

No person shall be impeached for not gauging of Rhenish wine.

Gauging of Rhenish wine.

ITEM, That none of the King's liege people be from henceforth distrained, impeached, molested, nor grieved in the exchequer, nor elsewhere, for not gauging of wines of *Rhine*, nor for any forfeiture of the same for that cause, otherwise than hath been of old times.

18 H. 6. c. 17.
1 R. 3. c. 13.

ITEM qe null lige du soit destreintz empeschez ne grevez en le quer naillours pur le nouger de vynes de Ryn ne p cune forfaiture dicelles celle cause autrement qe este fait dauncien temps.

CAP. IX.

Merchants strangers resorting into this realm shall well used.

Merchants strangers shall be well used.
9 Ed. 3. stat. 1. c. 1.

ITEM, The merchants strangers repairing into the realm of *England* shall be well and courteously and rightfully used and governed in the said realm,

ITEM qe merchantz estranges repairantz en le roi dEngleterre soient bien & toisement & droiturement teuz & governez en le dit

au fyn qils eient greindre to the intent that they shall
ge de repeirer en ycell. have the greater courage to re-
pair into the same.

25 Ed. 3. stat. 4.
c. 2.
11 R. 2. c. 7.

CAP. X.

*customer or comptroller shall have any ship of his own,
and he shall have his office at the King's pleasure.*

M qe null customer ne
nterrollour eit niefs de
propre nē soy melle de
es niefs & ceo pur eschuir
le damage du Roy de sa
ne comē la perde des
iantz repēirantz al port
aliens comē deinzēins.
null customer contrerol-
lerchour poifour ou trou-
sit null tiel office a terme
mes tantseulement tant
le Roy plerra. Non ob-
aucune patente ou grant
ascunz a contraire & si
tiel patente ou grante a
de vie soit fait a ascunz
i tiel office devant ces
le Roy voet qil soit ou-
nt repelle & voidē & de
orce ou value desore en-

ITEM, That no customer
nor comptroller have any
ships of their own, nor meddle
with the freight of ships, and
that to eschew, as well the da-
mage of our lord the King of
his customs, as the loss of the
merchants repairing to the
port, as well aliens as deni-
zens. (2) And that no cu-
stomer, comptroller, searcher,
weigher, or finder*, have any
such office for term of life,
but only as long as shall
please the King, notwith-
standing any patent or grant
made to any to the contrary.
(3) And if any such patent of
grant for term of life be made
to any of such office in time
past; the King will that it be
utterly repealed and void, and
of no force nor value.

20 H. 6. c. 4.
No customer
or comptroller
shall have any
ship of his
own.

2 Mod. 260.
No customer
shall have his
office but at
the King's
pleasure.
* Trowbur.

17 R. 2. c. 4.
H. 4. c. 13.
31 H. 6. c. 5.

CAP. XI.

*every county there shall be eight justices of peace: their
estreats and wages.*

M qen chescun countee
ent assignez oept justices
pees comē est contenuz
latut de Cantebr' outre
gnurs assignez. en cest
ient & qe les estreates des
ustices soient doublez &
artie delivere par les ditz
s al viscont pur lever les
s ent sourdantz & ent
as ditz justices & a lour
lour gages par la mayn
t viscont par indenture
eux ent affaire & qe les
tz eient allowance en lour
pt en leschequer par mes-
indenture & qe null duc
baron ou baneret. tout
II. soient

ITEM, That in every coun-
ty be assigned eight justices
of peace, as is contained in the
statute of *Canterbury*, besides
the lords assigned in this par-
liament: (2) and that the
estreats of the said justices be
doubled, and the one part de-
livered by the said justices to
the sheriff, to levy the money
thereof rising, and thereof to
pay to the justices their wages
by the hand of the said sheriff
by indenture betwixt them
thereof to be made; (3) and
that the sheriffs have allowance
in their account in the exche-
quer by the same indenture.

In every coun-
ty there shall
be eight jus-
tices of the
peace.

The justices
estreats shall
be double.

What justices
shall be allow-
ed no wages.

(4) And that no duke, earl, baron, or baneret, albeit they be assigned justices of the peace, and hold their sessions with the other eight justices, shall take any wages for the said office.

(5) And that the justices put their names in the same estreats, together with the number of the days of their sessions, to the intent that the sheriffs may know to whom to pay the wages, and to whom not; and the barons of the exchequer, to whom to allow, and to whom not: (6) And that the seals be made for the servants, and delivered to the keeping of some good man of the country, after the purport of the said statute of *Canterbury*; (7) which statute, with the modification of the same made at the last parliament, and the statute of weights and measures, and all other good statutes and ordinances made heretofore, and not repealed, shall be holden and kept, and put in due execution.

A seal for
servants.
13 R. 2. stat. 1.
c. 7.

soient ils assignez justices de la pees & tieignent leur sessions ovesqe les autres oept justices ne preignent gages pur le dit office. Et que les justices que tieignent leur sessions mettent leur nouns & le noun de leur clerk ensemblement ove le nombre des jours de leur sessions ou fyn que les viscontz purront savoir a qi paier gages & a qi noun & les barons de leschequer a qi allower & a qi noun & que les seals soient faitz pur les servants & baillez en garde dascun prod homme du paisi solonc le purporte de le dit estatut de *Canterbur'* le quell estatut ove la modification d'icell faite al darrein parlement ensemblement ove lestatutz de poys & mesures & toutz autres estatutz & bones ordinances faitz avant ces heurs & nient repellez le Roy vos qils soient tenuz & gardez & mys en due execution.

C A P. XII.

The value of Scottish money of several sorts.

Ex edit. Rast.
Groat of Scot-
land.

Money.

ITEM, That the groat of the money of *Scotland* run in the value only of two-pence *Englisb.* And the half groat of *Scotland* of a peny *Englisb.* And the i. d. of *Scotland* of an ob. *Englisb.* And the ob. of *Scotland* of a farthing *Englisb.* And if the money of *Scotland* be impaired, that the value thereof be abridged after the rate, and that commissions be made through the realm to inquire of them that have brought or sent the money of *England* into *Scotland*, to make bullion or money of *Scotland*, in prejudice and damage of the King, and his realm.

REX vicecomiti Kanc' salutem. Precipimus tibi firmiter injungentes quod quedam statuta & ordinationes per nos de assensu Magnatum & Communitatum regni nostri Anglie. — Memorandum this is left imperfect on the roll.

Statutes made at *Westminster*, Anno 15 RICH. II.
and Anno Dom. 1391.

IN the parliament holden at *Westminster*, the morrow after *All-Souls*, the fifteenth

AU parlement tenué a *Westm'* lendemain de *All-Souls* du regne nostre seignur

le Roi RICHARD Second le conquest quinziesme noli seigneur le Roi de lassent a dit parlement ad ordeine abli certaines choses en la ne qensuit.

year of the reign of King RICHARD the Second after the conquest, our said lord the King by the assent of the said parliament hath ordained and established certain things in the form following.

CAP. I.

confirmation of all former good statutes not repealed.

¶ primes qe toutz les bones estatutz & ordeinances it ces heures faitz & nient ez soient fermement te- & gardez.

FIRST, That all good statutes and ordinances made before this time, and not repealed, be firmly holden and kept.

A confirmation of all former statutes.

CAP. II.

lutry of justices of peace when any forcible entry is made into lands:

¶ M accordez est & assen- iz qe lestatutz & ordeins faitz & nient repellez ux qe sont entrees a forte en terres & tenementz atres possessions quecon- & lour tiegnent einz ove & auxint de ceux que insurrections ou grantz ches rioutes routes ou as- ees en destourbanche de la ou de la commune ley ou ray du poeple soient te- & gardez & pleynement tz ajouste a ycelles qe a les soitz qe tielx forcibles s soient faitz & pleint en e a justices de la pees ou in de eux qe mesmes les s ou justice preignent ou ie poair sufficeant du e & voient ou voise al u tiel force soit fait & sils nt ou troeve aucuns qe nt tiel lieu forciblement tiel entree fait soient pris s en prochein gaole a y rer convict par record de es les justices ou justice ils eient fait fyn & ran- u Roy & qe toutz gentz du

ITEM, it is accorded and assented, That the ordinances and statutes, made and not repealed, of them that make entries with strong hand into lands and tenements, or other possessions whatsoever, and them hold with force, and also of those that make insurrections, or great ridings, riots, routs, or assemblies, in disturbance of the peace, or of the common law, or in affray of the people, shall be holden and kept, and fully executed; (2) joined to the same, That at all times that such forcible entry shall be made, and complaint thereof cometh to the justices of peace, or to any of them, that the same justices or justice take sufficient power of the county, and go to the place where such force is made; (3) and if they find any that hold such place forcibly after such entry made, they shall be taken and put in the next gaol, there to abide convict by the record of the same justices or justice, until they have made

Former statutes concerning forcible entries and riots confirmed.

Kel. 41. Bulstr. 71. Mod. cases in law, 65. Carth. 497. Hawk. Pl. Cr. c. 64. The duty of justices of peace when any forcible entry is made into lands.

fine and ransom to the King: (4) and that all the people of the county, as well the sheriffs as other, shall be attendant upon the same justices to go and assist the same justices to arrest such offenders, upon pain of imprisonment, and to make fine to the King. (5) And in the same manner it shall be done of them that make such forcible entries in church.

5 R. 2. stat. 1.
4 H. 4. c. 8.
3 H. 6. c. 9.
21 Jac. 2. c. 15.

du counte sibien viscont come autres soient entendantz as ditz justices pur aler & enforcer mesmes les justices por arester tielx malfesours sur peine demprisonement & de faire fyn au Roy. Et en mesme le manere soit fait de ceux qe sont tielx forcibles entrees en benefices ou offices de seint esglise.

benefices or offices of holy

C A P. III.

In what places the admiral's jurisdiction doth lie.

Dy. 159.
5 Co. 106.
Cro. Car. 296.
2 Bulstr. 323.
13 Co. 52.
Rast. 23.
Ow. 122.

ITEM, at the great and grievous complaint of all the commons made to our lord the King in this present parliament, for that the admirals and their deputies do inroach to them divers jurisdictions, franchises, and many other profits pertaining to our lord the King, and to other lords, cities, and boroughs, other than they were wont or ought to have of right, to the great oppression and impoverishment of all the commons of the land, and hindrance and loss of the King's profits, and of many other lords, cities, and boroughs through the realm; (2) it is declared, ordained, and established, That of all manner of contracts, pleas, and quarrels, and all other things rising within the bodies of the counties, as well by land as by water, and also of wreck of the sea, the admiral's court shall have no manner of cognizance, power, nor jurisdiction; but all such manner of contracts, pleas, and quarrels, and all other things rising within the bodies of counties, as well by land as by water, as afore, and also wreck of the sea, shall be tried, determined, discussed, and remedied by the laws of the land, and

In what places the admiral's jurisdiction doth lie, and of what things he hath cognisance.

ITEM a la grant & grevoule compleint de tout la commune fait a nostre seigneur le Roi en cest present parlement de ce qe les admiraux & leur deputes accrochent a eux diverses jurisdictions franchises & plusours autres profitz qe appartiegnent a nostre seigneur le Roi & as autres seignurs citees & burghs autres qils ne soloient ne ne deveroient avoir de droit a tresgrant oppression & empoverissement de toute la commune de la terre & arrerissement & perde des profitz nostre seigneur le Roy & de plusours autres seignurs citees & burghs parmy le roialme declarez est ordeigne & establi qe de toutes maneres contractz plees & querelles & de toutes autres choses faitz ou fourdantz deinz les corps des countees sibien par terre come par eawe & ausint de wreck de meer la court de l'admirall eit nulle manere conissance poair ne jurisdiction mes soient toutz tielx maneres contractes plees & querelles & toutes autres choses fourdantz deinz les corps des countees sibien par terre come par eawe come desuis & auxint wreck de meer triez terminez discuss

discus & remediez par les loyes de la terre & nemye devant ne par l'admiral ne son lieutenant en nulle manere. Nientmeyns de mort de homme & de mayhem faitz es grosses riefes esteantz & hoverantz en my le haut fil des grosses riefes tant-soulement paraval les † pointz de mesmes les riefes plus profcheins al meer & en nul autre lieu de mesmes les riefes eit l'admiral conissance & auxint darest des riefes en les grantz fletz pur grantz viages du Roi & de roialme sauvent au Roi toutz maneres forfaitures & profitz ent provenantz Et eit ensement jurisdiction sur les dites fletz durantz les dites viages tant-soulement sauvent toutdis as seignurs citees & burghs lour libertees & franchises.

not before nor by the admiral, nor his lieutenant in any wise.

(3) Nevertheless, of the death of a man, and of a mayhem done in great ships, being and hovering in the main stream of great rivers, only beneath the * bridges of the same rivers nigh to the sea, and in none other places of the same rivers, the admiral shall have cognizance, and also to arrest ships in the great flotes for the great voyages of the King and of the realm; saving always to the King all manner of forfeitures and profits thereof coming; (4) and he shall have also jurisdiction upon the said flotes, during the said voyages only, saving always to the lords, cities, and boroughs their liberties and franchises.

* Points.

4 Inst. 137.
It is Portes in the old abridgement.

13 R. 2. stat. 1.
c. 5.
2 H. 4. c. 11.

CAP. IV.

There shall be but eight bushels of corn striked to the quarter.

ITEM come ordeigne soit par diverses estatutz qune mesure de blee vin & cervoise soit parmy le roialme & qe oept bushels ralez facent un quartre de blee nientmeins a cause qe nulle peyne est sur ce ordeine en les ditz estatutz plusours gentz de diverses citees burghs villes & marchees ne voillent prendre nachatre en les ditz citees burghs villes & marchees naillours sinoun noef bushels pur le quartre & s'ils ne les purront achatre en tiel manere ils lareissent come forfait a trespas grant damage & oppression de tout la commune poeple & overttement encontre lestatutz suifditz ordeignez est & assentuz qe les ditz estatutz soient fermement gardez & tenuz sibi en la citee de Loundres

come

ITEM, whereas it is ordained by divers statutes, that one measure of corn, wine and ale should be throughout the realm, and that eight bushels striked make the quarter of corn; (2) nevertheless, because that no pain is thereupon ordained in the said statutes, divers people of divers cities, boroughs, towns, and markets, will not take, neither buy in the said cities, boroughs, towns, markets, ne in none other place, but nine bushels for the quarter; (3) and if they cannot buy in that manner, they arrest it as forfeit, to the great damage and oppression of all the people, and manifestly against the statutes aforesaid; (4) it is ordained and assented, That the said statutes shall be firmly kept and holden, as well in the city of London, as in eve-

4 Ed. 3. c. 3.
25 Ed. 3. c. 1.
36 Ed. 3. c. 2.

Z 3

17

† pointz, Nova statuta.

1 H. 5. c. 10.

There shall be
but eight
bushels of corn
striked to the
quarter.

ry other place throughout the realm, and that as well by water as by land, notwithstanding any usage in times past to the contrary. (5) And that none from henceforth do buy in the city of *London*, nor in other place, any manner of corn or malt, but after eight bushels for the quarter, according to the purport of the said statutes, upon pain of forfeiture of all the corn or malt so bought; saving to the King the said forfeiture, except franchises royal, to whom the King at this time of his special grace hath granted the same forfeiture; (6) and that as well the mayor and sheriffs of *London*, as the mayors and bailiffs of other cities, boroughs, towns, and markets (if they do not thereof full and due execution) shall incur like pain, as well at the suit of the King, as of the party, or of any other person that will sue for the King.

11 H. 7. c. 4.

come aillours parmy le roialme & sibien par ewe come par terre nient contrestant ascurie usage avant ces heures a contraire. Et qe null desore enavant achate en la dite citee de Loundres naillours nulle manere blee ou brees sinoun oep bushels pur le quartre solonc le purport des ditz estatutz sur peine de forsaire tout le blee ou brees issint achate sauvent la dite forsaire au Roi forpris franchises roiales as queux le Roi a ceste soit ad grante ycelle forsaire de sa grace & qe sibien les mair & viscountz de Londres come les mairs & bailiffs dautres citees burghs villes & marchees sils ne facent ent pleine & due execution encourgent autiele peine sibien au suite du Roi come de partie & dautre queconque qe vorra suir pur le Roi.

CAP. V.

Assurance of lands to certain places, persons, and uses, shall be adjudged Mortmain.

7 Ed. 1. stat. 2.

ITEM, *whereas it is contained in the statute De religiosis, That no religious, nor other whatsoever he be, do buy or sell, or under colour of gift, or term, or any other manner of title whatsoever, receive of any man, or in any manner by gift or engine cause to be appropriated unto him any lands or tenements, upon pain of forfeiture of the same, whereby the said lands and tenements in any manner might come to Mortmain. (2) And if any religious, or any other, do against the said statute by art or engine in any manner, that it be lawful to the King, and to other lords, upon the said lands and tenements to enter,*

It is within the
compass of the
statute of
Mortmain to
convert any
land to a
church yard.

ITEM come contenuz soit en lestatut de Religieuses qe null religious nautre queconque achate ne vende ou souz colour de doun ou terme ou dautre title queconque dascun resceive ou dascun en ascune manere par art ou par engyn a luy face approprier ascunes terres ou tenementz sur forsaire dycelles par quoi les ditz terres & tenementz purront en ascune manere devenir a mort mayn. Et qe si ascun religious ou ascun autre veigne encontre le dit estatut par art ou par engyn en ascune manere bien lise au Roi & as autres seignurs les ditz terres & tenementz entrer si-
come

as

come en le dit estatut est contenuz plus au plein. Et ore de novell par fotele ymagination & par art & engyn ascuns gentz de religion parsons vikers & autres perones espirituels sont entrez en diverses terres & tenementz adjoignantz a lour esglise & dycelles par suffrance & assent de tenantz ont fait cimiers & par bulles del appostoill les ont fait dedier & sacrer & sepulture parrochiele sont continuelment en ycelles sanz licence du Roi & des chiefs seignurs declare est en cest present parlement que ce est overtement en cas du dit estatut. Et enoutre accordez est & assentuz que toutz ceux que sont possessionez par feoffement ou par autre voie al oeps de gentz de religion ou autres perones espirituels des terres tenementz fees advowsons ou autres possessions queconques pur les amortiser & dont les ditz religieuses & perones espirituels preignent les profitz que parentre cy & le fest de saint Michel prochain venant ils les facent estre amortisez par licence du Roi & des seignurs ou autrement qils les vendent & alienent a autre oeps parentre cy & le dit fest sur peine destre forfait au Roi & as seignurs solonc la fourme de lestatut de religious come tenementz purchacez par gentz de religion & que de cest temps enavant null tiel purchace se face issint que tielx religieuses ou autres perones espirituels ent preignent les profitz come desuis sur la peine avaunt dite. Et mesme cest estatut sextende & soit tenuz de toutz terre & tenementz fees advowsons & autres possessions purchacez & a purchasers al oeps des gildes & fraternitees. Et enoutre est assentuz pur ce que mairs baillifs &

as in the said statute doth more fully appear. (3) And now of late by subtile imagination, and by art, and engine, some religious persons, parsons, vicars, and other spiritual persons, have entered in divers lands and tenements, which be adjoining to their churches, and of the same, by sufferance and assent of the tenants, have made church-yards, and by bulls of the bishop of Rome have dedicated and hallowed the same, and in them do make continually parochial burying without licence of the King and of the chief lords; therefore it is declared in this parliament, That it is manifestly within the compass of the said statute.

(4) And moreover it is agreed and assented, That all they that be possessed by feoffment, or by other manner, to the use of religious people, or other spiritual persons, of lands and tenements, fees, advowsons, or any manner other possessions whatsoever, to amortise them, and whereof the said religious and spiritual persons take the profits, that betwixt this and the feast of St. Michael next coming, they shall cause them to be amortised by the licence of the King and of the lords, or else that they shall sell and aliene them to some other use between this and the said feast, upon pain to be forfeited to the King, and to the lords, according to the form of the said statute of religious, as lands purchased by religious people: (5) and that from henceforth no such purchase be made, so that such religious or other spiritual persons take thereof the profits, as afore is said, upon pain aforesaid. (6) And that the same statute extend and be observed of all lands, tenements, fees, advow-

Mortmain
where some be
seised of lands
to the use of
religious or
spiritual per-
sons.

Mortmain to
purchase lands
to gilds, fra-
ternities, offi-
ces, commu-
nalties.

Mortmain in
respect of tak-
ing of lands
in use.

2 Inst. 75. 429.
433.

2 Co. 123.

9 H. 3. stat. 1.
c. 36.

13 Ed. 1. stat. 1.
c. 32.

23 H. 8. c. 10.
9 Geo. 2. c. 36.

9 Geo. 2. c. 36.

sons, and other possessions, purchased, or to be purchased to the use of gilds or fraternities.

(7) And moreover it is assented, because mayors, bailiffs, and commons of cities, boroughs, and other towns which have a perpetual commonalty, and others which have offices perpetual, be as perpetual as

people of religion; that from henceforth they shall not purchase to them, and to their commons or office, upon pain contained in the said statute

De religiosis. (8) And whereas others be possessed, or hereafter shall purchase to their use, and they thereof take the profits, it shall be done in like manner as

& communes de citees burghs & autres villes qont communes perpetuel & autres qont offices perpetuels sont aussi perpetuels come gents de religion qe de cest temps enavaunt ils ne purchacent a eux & a leur commune ou office sur la peine contenue en le dit estatut de religieuses. Et de ce qe autres sont possessionez ou ferra purchacez en temps avenir a leur oeps & ils ent preignent ou prendront les profitz soit semblablement fait come devaunt est dit de gentz de religion.

is afore said of people of religion.

CAP. VI.

In appropriation of benefices there shall be provision made for the poor and the vicar.

In all appropriations of benefices there shall be some provision made for the poor and the vicar.

ITEM, because divers damages and hindrances oftentimes have happened, and daily do happen to the parishioners of divers places, by the appropriation of benefices of the same places; (2) it is agreed and assented, That in every licence from henceforth to be made in the chancery, of the appropriation of any parish church, it shall be expressly contained and comprised, that the diocesan of the place, upon the appropriation of such churches, shall ordain, according to the value of such churches, a convenient sum of money to be paid and distributed yearly of the fruits and profits of the same churches, by those that shall have the said churches in proper use, and by their successors, to the poor parishioners of the said churches, in aid of their living and sustenance for ever; (3) and also that the vicar be well and sufficiently endowed.

ITEM pur ce qe plusieurs damages & deseases sont souvent avenuz & aveignent de jour en autre as parochiens de diverses lieux par l'appropriation des benefices de mesmes les lieux accordez est & assentuz qen chescune licence deo-e a faire en la chauncellerie d'appropriation dascune eglise parochielle soit expressement contenuz & compris qe le diocesan de lieu en l'appropriation de tielx eglises ordeine selonc la value de tielx eglises une convenable somme d'argent destre paieez & distributz annuellement des fruitz & profitz de mesmes les eglises par ceux qaveront les dites eglises en propre oeps & par leur successeurs as povres parochiens des dites eglises en aide de leur vivre & sustenance a touz jours & qe le vikar soit auxint bien & convenablement dowe.

Plowd. 495.

11 Co. 9.

Cro. Jac. 516.

Watson's

compl. In-

cumb. 194.

125.

4 H. 4. c. 12.

CAP. VII.

Armour, corn, or victual, may be carried to Berwick.

ITEM, whereas it is ordained by the statute made the seventh year of our lord the King, that from henceforth no person alien or denizen, of what estate or condition that he be, shall take or carry, or cause to be taken or carried by land, or by sea, out of the realm of *England*, to any parts of *Scotland*, privily or openly, any manner of armour, corn, malt, or other victual, or any other refreshing whatsoever, upon pain of forfeiture of the same victual, or armour, and other things aforesaid, together with the ships, vessels, carts, or horses that bear or carry them, or else the very value of them; (2) whereupon our lord the King at the request of the commons, and by the advice and assent of the lords, hath declared in this parliament, the said statute in such manner, that it was not his intent at the making of the said statute, ne yet is, that they that have carried or taken, or from henceforth shall take or carry victuals or merchandises to the town of *Berwick* upon *Tweed*, which is the King's town and of his liegance, shall incur the pain of the said statute, ne shall not be bound to pay customs and subsidies granted to our lord the King of merchandises that be or shall be carried out of the realm.

Armour, corn, or victuals may be carried to Berwick, notwithstanding the stat. 7. R. 2. c. 16.

II. Provided alway, that they which carry any cloth, victuals, or other merchandises out of the said town of *Berwick*, to any places being in amity with the King, shall pay the subsidies, customs, and other duties thereof to our lord the King, and if they do carry to any parts of the King's enemies, they shall incur the pain of the said statute.

CAP. VIII.

A repeal of the statute of 14 Rich. 2. c. 7. touching the carrying of tin forth out of the realm at Dartmouth only.

ITEM, whereas it was ordained at the last parliament, that the passage of tin out of the realm should be at the port of *Dartmouth*, and no place else: It is agreed, that the said ordinance be adnulled, and that between this and the feast of *St. John Baptist* next coming, all merchants denizens and aliens shall be at large, to lade tin in ships and other vessels, to carry out of the realm in what haven they will choose within the realm, and to what part it please them. And after the said feast they shall repair to *Calais* for the time that the resort of wool shall be there, paying alway the customs, subsidies and devours thereof due before the passage of the said tin.

Ex edit. Rast. Tin. Dartmouth. Merchants.

Rep. 21 Jac. 2. c. 28.

CAP. IX.

The mayor of the staple shall take recognizances for debts, according to the statute of 27 Edw. 3. stat. 2. cap. 9.

ITEM, whereas it is contained in the statute of the staple, the intent that the contracts made within the staple should be

Ex edit. Pult. the

The mayor of the staple shall take recognisances for debts according to statute of 27 Ed. 3. stat. 2. c. 9.

the better performed, and the payments readily made, that every mayor of the staple shall have power to take recognisances of debts that any man will make before him in the presence of the constables of the staple, or one of them. (2) And that in every of the said staples be one seal ordained to remain in the custody of the said mayor, under the seals of the said constables: it is agreed and assented, That the said statute be firmly kept and holden. (3) And that no mayor of the staple take or receive any recognisance of debt contrary to the form of the said statute, upon pain to pay to the King the moiety of the sum recognised before him.

C A P. X.

None shall buy Guilford cloths before they be fulled and manufactured as they ought to be.

Cloths of Guilford.

Fuller.

ITEM, at the complaint of the commons made in the parliament, because that of old times divers cloths were made in the town of *Guilford*, and other places within the counties of *Surrey*, *Suffex*, and *Somth*, called cloths of *Guilford*, which were of good making and of good value, and did bear a great name. And now because that fullers and other of the same county, do use to buy the cloths of the said counties before that they be fulled and performed, and in making, for covetousness to have the said cloths of greater measure over the common assise that late was used, do draw the cloths more longer and more large than they were wont or ought to be, to the great impairing of the said cloths, and great deceit of the people. For to eschew such damages and deceits in time to come, it is agreed and assented, That from henceforth no fuller nor other person whatsoever he be shall buy within the said towns and counties any cloth, before the same cloth be fulled and fully performed in his nature, and also sealed under the seal thereto ordained, upon pain of forfeiture of the same.

Rep. 5 & 6 Ed. 6. c. 6.

C A P. XI.

Girdlers may work their girdles with white metal.

Girdlers.

Charters.

Rep. 1. Jac. 1. c. 25.

ITEM, it is agreed and assented, That all the girdlers of the realm, that work girdles garnished with white metal, may work, use, and continue their said craft, that is to say, to garnish the girdles with white metal as of old times it hath been used, notwithstanding any charters or patents made or granted to the contrary. And if any charters or patents be made to the contrary, that they shall be void and of no force.

C A P. XII.

No man shall be compelled to answer for his freehold before the council of any lord.

ITEM, at the grievous complaint of the commons made in full parliament, for that divers of the King's subjects be caused to

come

ITEM a la grevouise complaint des communes fait au plein parlement de ce que plusieurs seigneurs du Roi sont faiz venir

un

devant les conseilx de di-
seignurs & dames a y re-
re de lour frank tene-
& de plusours autres cho-
les & personeles qe deve-
estre demesnez par la ley
terre encontre lestat &
de nostre seignur le Roi
sa corone & en defesance
commune ley accordez est
intuz qe null liege du Roi
enavant soit artez com-
ne constreint par nulle
le venir ne dapparoir de-
le conseil dalcun seignur
me pur y respondre de son
tenement ne de chose qe
e frank tenement ne de
autre chose reale ou per-
qappertient a la ley de la
en aucune manere. Et si
se sent grevez en temps
encontre ceste orde-
& accorde sue al chaun-
qi serra pur le temps & il
ra remede.

*come before the council of divers
lords and ladies, to answer for
their freehold, and so for divers o-
ther things, real and personal, that
ought to be ordered by the law of
the land, against the estate and
the right of our lord the King and
of his crown, and in defeating of
the common law; (2) it is agreed
and assented, That from hence-
forth none of the King's sub-
jects be compelled, neither by
any mean constrained, to come
nor to appear before the coun-
cil of any lord or lady to an-
swer for his freehold, nor for
any thing touching his free-
hold, nor for any other thing
real or personal, that belongeth
to the law of the land in any
manner. (3) And if any find
himself grieved in time to
come, contrary to this ordi-
nance and agreement, he may
complain to the chancellor for
the time being, and he shall
give him remedy.*

No man shall
be compelled
to answer for
his freehold
before the
council of any
lord.

52 H.3.C.28.
16 R.2.C.2.
Regist. 171.

K vicecomiti Lincoln' salutem. Quedam statuta & ordinationes
er nos in ultimo parlamento nostro apud Westm' tento de assensu
tum & communitatis regni nostri Anglie nobis in eodem parla-
assistentium facta tibi in forma literarum patentium mittimus sub
nostro precipientes firmiter injungendo quod statuta & ordinationes
a in pleno comitatu tuo ac civitatibus burgis villis mercatoriis &
cis infra ballivam tuam ubi melius expedire videris publice procla-
teneri facias juxta tenorem eorundem.

T. R. apud Westm' primo die Februar'.

ites made at *Winchester*, Anno 16 RICH. II.
and *Anno Dom.* 1392.

Nostre seignur le Roi RI-
CHARD Second puis le
est a son parlement te-
Wyncestr' en les oep-
de Seint Hiller lan de son
sefizisme ad ordeine & e-
certeines choses de lassent
de

OUR lord the King, RICH-
ARD the Second after the
cnoquest, at his parliament holden
at Winchester in the Utas of
St. Hillary, the sixteenth year of
his reign, hath ordained and sta-
blished, by the assent of his parlia-
ment

*ment, certain things in the form de son dit parlement
following.*

CAP. I.

*No merchant stranger shall buy or sell with another merchant
stranger to sell again.*

Ex edit. Pult.
9 Ed. 3. stat. 1.
c. 1.
4 Inst. 265.
All merchants
aliens and de-
nizens may
freely buy and
sell within the
realm.

25 Ed. 3. stat. 4.
c. 2.
Merchants
may sell their
wares in gross
or by retail, or
by parcels.

Stat. 11 R. 2.
c. 7.

No merchant
stranger shall
sell any mer-
chandises by
retail but vic-
tuals.

FIRST, Whereas by the statute made at *York* the year of the reign of King EDWARD grandfather of the King that now is; it was ordained and established, That merchants aliens and denizens, and all other, and each of them, of what estate or condition that they be, which vend or sell corn, wines, *avoir de pois*, flesh, fish, and all other and victuals, cloths, wools, wares, merchandises, and other things vendible, from whencesoever they come, reigners, or by denizens, to what place that it be, be it city, borough, town, port of the sea, fair, market, or other within the same realm, within franchise and without, may and without disturbance sell the same to whom they as well to foreigners as to denizens, except the enemies King and of his realm: (2) and after by another statute the five and twentieth year of the said grandfather, it was ordained and accorded, That the said statute made the ninth year of the said grandfather, should be holden, kept, and maintained in all points. (3) Moreover, that every merchant and other, of what condition that he be, as well alien as denizen, that bringeth wines, fish or other manner of victuals, cloth, fells, or *avoir de* other wares or merchandises, to the city of *London* or other cities, boroughs, and good towns of *England*, or ports of the sea, may freely and without challenge or impeachment of any person in gross or at retail, or by parcels at his pleasure, sell to any people that will buy them, notwithstanding any franchise or custom used, or any other manner of thing made to the contrary, and that without disturbance or impediment of any person certain pains contained in the aforesaid statutes. (4) And in the eleventh year of the reign of our said lord the King was also ordained and established by the statute made in the same year, That those two statutes aforesaid should be holden, kept, maintained, and fully executed in all points and articles the same, notwithstanding any statute, ordinance, charter, patent, franchise, proclamation, commandment, usage, custom, or judgment made or used to the contrary, as in the said statute more fully is contained. (5) Nevertheless forasmuch as it seemeth to our lord the King, that the said statutes, so ordained and executed, shall extend to the hindrance and damage, as well of the city of *London*, as of other cities, boroughs, and towns of the realm: (6) it was ordained and assented, That no merchant stranger alien shall nor buy, nor merchandise within the realm with another merchant alien, to sell again, (7) nor that no strange merchant alien shall sell to retail within the same realm, (8) nor shall he sell any manner of wares or merchandises, except livings

is, (9) and also that aliens shall sell wines by whole vessels and spicery by whole vessels and bales, and in no other manner. (10) And that no manner of spicery, after that it be sold in the realm, shall be carried out of the same realm by any denizen, upon pain of forfeiture of the same. (11) Moreover the King will that the said statutes in all articles aforesaid shall be firmly holden and kept.

No wines shall be carried forth of the realm. Neither yet any manner of spicery. Repealed by 1 Car. 1. c. 4. sect. 17.

CAP. II.

Forfeiture of him that compelleth any person to answer for his freehold.

EM come el darrien parlement accordez estoit & uz qe null lige du Roi s'en avant ferroit artez ellez ne constreint par null de venir ne dapparoir devant le conseil d'aucun seigneur ame pur y respondre de rank tenement ne de chose uche frank tenementz ne nulle autre chose reale ou nele appartient a la ley de terre en aucun manere ne par lestatut en fait puisement appiert accordez assentuz qe le dit estatut fermement tenuz & gardez qe si aucun seigneur ou ou autre liege du Roi alencontre encouree la de vint livres devers no seigneur le Roy.

ITEM, Whereas at the last parliament it was accorded and assented, That none of the King's liege people from henceforth should be bound, compelled, nor constrained by any means, to come nor to appear before any lord's or lady's council, there to answer of his freehold, nor of things which touch freeholds, nor of any other thing real nor personal, which belongeth to the law of the land in any wise, as by the statute thereof made more fully appeareth; (2) it is accorded and assented, That the said statute shall be firmly holden and kept; (3) and if any lord or lady, or other of the King's liege people do to the contrary, they shall incur the pain of xxl. to the King.

A confirmation of the statute of 15 R. 2. c. 12. with a penalty on the offenders.

51 H. 3. c. 22. Regis. 171.

CAP. III.

clerk of the market shall carry with him all his weights and measures signed.

EM ordeinez est & assentuz qe toutz les poys & mesures parmy le roialme soient accordantz a lestandard de mesurer solonc la fourme de toutz ent faitz. Et en outre le voet que le clerke del marche ait tous ses mesures & poises sime accordantz a lestandard de lescchequer & signez & chez del signe de lescchequer ordeine & mesmes les poises & mesures issint signez & mar-

ITEM, it is ordained and assented, That all the weights and measures through the realm shall be according to the standard of the exchequer, after the purport of the statutes thereof made. (2) And the King willeth, That the clerk of the market shall have all his measures and weights of brass, according to the standard of the exchequer, and signed and marked of the sign of the exchequer

The clerk of the market shall carry with him all his weights and measures signed.

chequer

chequer thereunto ordained ; merchez carie & amefne o
 (3) and the same weights and luy a toutz les foiz qil
 meafures fo signed and mark- laffay de poifes & mefur
 ed, to carry and bring with scune part deinz le roial
 him at all times, when he fhall qil ne null autre lige d
 make the affay of weights and use null autre mefure ne
 meafures in any part within the statutz ent faitz devan
 realm ; (4) that he, nor any heures.
 other of the King's liege peo-
 ple, fhall use any other mea-
 fure nor weight, upon the pains contained in the statutes
 of made before this time.

4 Inft. 273.
 9 H. 3. stat. 1.
 c. 25.
 14 Ed. 3. stat. 1.
 c. 12.
 34 Ed. 3. c. 5.
 11 H. 7. c. 4.

CAP. IV.

Who only may wear another's livery.

Ex edit. Rast.
 Livery of
 company.
 justices of
 peace.

ITEM, it is accorded and assented, That no yeoman
 ther of lower estate than an esquire, from hencefort
 not use nor bear no livery, called livery of company, o
 lord within the realm, if he be not menial and familiar, o
 nually dwelling in the house of his said lord, and that th
 tices of peace fhall have power to enquire of them, whi
 to the contrary, and them to punish according to thei
 crection.

Rep. 3 Car. 1.
 c. 4. sect. 27.

CAP. V.

*Præmunire for purchasing bulls from Rome. The crown
 England subject to none.*

3 Leon. 292.
 12 Co. 37, 40.

The remedy
 to recover
 presentments
 to benefices in
 the King's
 court, and the
 execution
 thereof is
 done by the
 bishop.

ITEM, *Whereas the commons
 of the realm in this present
 parliament have shewed to our
 redoubted lord the King, grievously
 complaining, That whereas the
 said our lord the King, and all
 his liege people, ought of right,
 and of old time were wont to sue
 in the King's court, to recover
 their presentments to churches,
 prebends, and other benefices of
 holy church, to the which they
 had right to present, the cognisance
 of plea, of which presentment be-
 longeth only to the King's court of
 the old right of his crown, used
 and approved in the time of all
 his progenitors Kings of Eng-
 land ; (2) and when judgment
 shall be given in the same court
 upon such a plea and present-
 ment, the archbishops, bishops,
 and other spiritual persons which
 have institution of such benefices
 within*

ITEM come les com-
 du roialme en cest p
 parlement eient monst
 nostre tresfedeute seigm
 Roi grevouement com
 nantz qe par la ou mesm
 stre seigneur le Roi & tou
 luges deivent de droit &
 ent de tout temps pursue
 la courte mesme nostre se
 le Roi pur recoverer leur
 sentementz as esglises pr
 des & autres benefices de
 esglise as queux ils ount
 a presenter la conisance d
 de quelle presente ape
 soulement a courte mesm
 stre seigneur le Roi dans
 droit de sa coroune use
 prove en temps de tou
 progenitours Rois d'Engl
 & quant jugement soit
 en mesme la courte sur
 & presente les ercevesques

autres perſones ſpiritu-
 unt inſtitution de tiele
 e deinz leur juridiſtion
 nuz & ont fait execu-
 : tieux juggedmentz par
 ment des Rois de tout le
 avantdit ſanz interrup-
 re autre lay perſone ne
 iele execution faire &
 ſont tenuz de droit de
 ecution de pluſours au-
 undementz noſtre ſeignur
 de quele droit la corone
 terre ad eſte peiſibili-
 eify ſibien en temps no-
 ſeignur le Roi come en
 de touz ſes progenitours
 enca mes ore tarde di-
 proceſſes ſont faitz par
 : piere le pape & cenſu-
 ſcomengementz ſur cer-
 vesques d'Engleterre pur
 s ount fait execution des
 mandementz en overte
 tance de la dite corone
 ruſtion du regalie noſtre
 nur le Roi ſa ley & tout
 ialme ſi remedie ne ſoit

Et auxint dit eſt &
 une clamour y ad qe le
 it piere le pape ad or-
 & purpoſe qe tranſlater
 : prelates de meſme le
 e ſcuns hors du roialme
 ans de un eveſchee a au-
 inz meſme le roialme
 aſſent & conifance noſtre
 : le Roy & faunz aſſent
 lat qi enſy ferroit tranſ-
 : eux prelatz ſont moult
 bles & neceſſaries a no-
 t ſeignur le Roi. & tout
 ialme par queux tranſla-
 ils fuſent ſufertz les eſta-
 : roiaume ſerront defaitz
 ntez & ſes ſages lieges
 : conſeill ſanz ſon aſſent
 ountre ſa voluntee ſub-
 : eſloignez hors de ſon
 ie & lavoit & treſore du
 ie ſerroit emporte & enſi
 meſme

within their juridiſtion, be
 bound, and have made execution
 of ſuch judgments by the King's
 commandments of all the time a-
 forſaid without interruption (for
 another lay-perſon cannot make
 ſuch execution) and alſo be bound
 of right to make execution of many
 other of the King's command-
 ments, of which right the crown
 of England hath been peaceably
 ſeiſed, as well in the time of our
 ſaid lord the King that now is,
 as in the time of all his progeni-
 tors till this day: (3) but now of
 late divers proceſſes be made by
 the biſhop of Rome, and cenſures
 of excommunication upon certain
 biſhops of England, becauſe
 they have made execution of
 ſuch commandments, to the open
 diſheriſon of the ſaid crown and
 deſtruction of our ſaid lord the
 King, his law, and all his realm,
 if remedy be not provided. (4)
 And alſo it is ſaid, and a common
 clamour is made, that the ſaid
 biſhop of Rome hath ordained
 and purpoſed to tranſlate ſome
 prelates of the ſame realm, ſome
 out of the realm, and ſome from
 one biſhoprick into another within
 the ſame realm, without the
 King's aſſent and knowledge, and
 without the aſſent of the prelates,
 which ſo ſhall be tranſlated, which
 prelates be much profitable and
 neceſſary to our ſaid lord the King,
 and to all his realm; (5) by
 which tranſlations (if they ſhould
 be ſuffered) the ſtatutes of the
 realm ſhould be defeated and made
 void; and his ſaid liege ſages of
 his council, without his aſſent,
 and againſt his will, carried
 away and gotten out of his
 realm, and the ſubſtance and
 treaſure of the realm ſhall be car-
 ried away, and ſo the realm de-
 ſtitute as well of council as of
 ſubſtance, to the final deſtruction

The pope a-
 warded pro-
 ceſſes and
 ſentences of
 excommuni-
 cation againſt
 certain bi-
 ſhops for exe-
 cuting judg-
 ments given
 in the King's
 court.

The pope's
 tranſlation of
 prelates out of
 the realm, or
 from one ſpi-
 ritual living to
 another.

25 Ed. 3. ſtat. 6.
 de proviſ.

The freedom of the crown of England, and that it is in subjection to no realm.

of the same realm; (6) and so the crown of England; which hath been so free at all times, that it hath been in no earthly subjection; but immediately subject to God in all things touching the regality of the same crown, and to none other, should be submitted to the pope, and the laws and statutes of the realm by him defeated and avoided at his will, in perpetual destruction of the sovereignty of the King our lord, his crown, his regality, and of all his realm, which God defend.

The promise of the commons to assist the King in defence of the liberties of his crown.

II. *And moreover, the commons aforesaid say, That the said things so attempted be clearly against the King's crown and his regality, used and approved of the time of all his progenitors; wherefore they and all the liege commons of the same realm will stand with our said lord the King, and his said crown and his regality, in the cases aforesaid, and in all other cases attempted against him, his crown, and his regality in all points, to live and to die. (2) And moreover they pray the King, and him require by way of justice, that he would examine all the lords in the parliament, as well spiritual as temporal severally, and all the states of the parliament, how they think of the cases aforesaid, which be so openly against the King's crown, and in derogation of his regality, and how they will stand in the same cases with our lord the King, in upholding the rights of the said crown and regality.*

The like promise of the lords temporal.

(3) Whereupon the lords temporal so demanded, have answered every one by himself, that the cases aforesaid be clearly in derogation of the King's crown, and of his regality, as it is well known, and hath been of a long time known, and that they will be with the same crown and regality in these cases

mesme le roiaume destitue bien de conseil come davor a final destruction de mesme le roialme & ensy la corone d'Engleterre qad est si frank de tout temps qele n'ad hien null terrien souverain mes immediate subgit a Dieu en toutes choses touchantz la regalie de mesme la corone & a null autre seroit submys a pape & les leys & estatutz du roialme par luy defaitz & anientez a sa volente en perpetuele destruction de la foveraynte nostre seignur le Roy sa corone & sa regalie & tout son roialme qe Dieu defende.

Et disoient outre les communes avantdites qe les dites choses ensy attemptez sont overtement encountre la corone nostre seignur le Roi & sa regalie use & approve du temps du touz ses progenetours par quoy ils & touz les lieges communes du mesme le roialme veullant estre avec nostre dit seignur le Roi & sa dite corone & sa regalie en les cases avant dites & en touz autres cases attemptez encountre luy sa corone & sa regalie en touz pointz a vivre & murer. Et prierent outre a nostre seignur le Roy & luy requistrent par voy de justice qil verroit examiner touz les seignurs en parlement sibien spirituelles come temporeles severalement & tous les estatuz du parlement comment leur semble des cases avantdites qe sont si overtement encountre la corone nostre seignur le Roy & in derogation de sa regalie & comment ils voillent estre en mesmes les cases avec nostre seignur le Roy en sustenance des droitz de ses ditz corone & regalie. Sur quoy les seignurs temporels

ensi demandez ount respondu checun par soy qe melines les cases avantdites sont overtement en derogation de la corone nostre seignur le Roy & de sa regalie come notoirement est & ad este de tout temps conuz & qe ils veullent estre avec mesmes les corone & regalie en mesmes cestres cases en especial & en touz autres cases qe seront attemptez encountre mesmes les corone & regalie en toutz pointz ove tout lour poair. Et outre ce demandez estoit des seignures espiuels illeques esteantz & des procurateurs des autres absents de lour estre avys & volente en ceux cases queux seignurs cest-à-savoir ercevevesques evesques & autres prelates esteantz en le dit parlement severalment examines seafantz protestations qil nest pas lour entencion de dire ne affermer qe nostre Saint Pierre le pape ne poet excomenger evesques ne qil poet faire translations des prelatz solonc la ley de seinte eglise respoignent & diount qe si aucuns executions des processs faitz en la courte du Roi come devaunt soient faitz par ascuny & censures de escomengementz soient faitz encountre ascun eveique dEngleterre ou ascun autre lige du Roi pur ce qils ount fait execution des tieux maundementz & qe si aucuns executions des tieux translations soient faitz dascuns prelatz de mesme le roialme queux seignurs sont moult profitables & necessairs a nostre dit seignur le Roi & a son roiaume fuifdit ou qe ses sages lieges de son conseil saunz son assent & encountre sa volente soient sustretz & esloignez hors du roialme siqe lavoir & trefor du roialme

· Vol. II

roialme

cases specially. And in all other cases which shall be attempted against the same crown and regality in all points with all their power. (4) And moreover it was demanded of the lords spiritual there being, and the procurators of others being absent, their advice and will in all these cases; which lords, that is to say, the archbishops, bishops, and other prelates, being in the said parliament severally examined, making protestations, that it is not their mind to deny, nor affirm, that the bishop of Rome may not excommunicate bishops, nor that he may make translation of prelates after the law of holy church, answered and said, That if any executions of processes made in the King's court as before be made by any, and censures of excommunications to be made against any bishops of England, or any other of the King's liege people, for that they have made execution of such commandments; and that if any executions of such translations be made of any prelates of the same realm, which prelates be very profitable and necessary to our said lord the King, and to his said realm, or that the sage people of his council, without his assent, and against his will, be removed and carried out of the realm, so that the substance and treasure of the realm may be consumed, that the same is against the King and his crown, as it is contained in the petition before named. (5) And likewise the same procurators, every one by himself examined upon the said matters, have answered and said in the name, and for their lords, as the said bishops have said and answered, and that the said lords spiritual will and ought to be with the King in these cases in lawfully maintaining of his crown,

A a

and

The promise of the lords spiritual touching the commons petition.

The promise of the procurators of the lords spiritual being absent.

Præmunire
for purchasing
of bulls or o-
ther instru-
ments from
Rome, or else-
where.
27 Ed. 3. stat. 1.
c. 1.
7 R. 2. c. 12.

*and in all other cases touching his crown and his regalty, as they be bound by their liegeance; (6) whereupon our said lord the King, by the assent aforesaid, and at the request of his said commons, hath ordained and established, That if any purchase or pursue, or cause to be purchased or pursued in the court of Rome, or elsewhere, by any such translations, processes, and sentences of excommunications, bulls, instruments, or any other things whatsoever which touch the King, against him, his crown, and his regalty, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any other execution whatsoever within the same realm or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the King's protection, (7) and their lands and tenements, goods and chattels, forfeit to our lord the King; (8) and that they be attached by their bodies, if they may be found, and brought before the King and his council, there to answer to the cases aforesaid, (9) or that process be made against them by *Præmunire facias*, in manner as it is ordained in other statutes of provisors, (10) and other which do sue in any other court in derogation of the regalty of our lord the King.*

Regist. jud. 82.
Co. pla. 435.
Rast. 24. 465.

& amenez devant le Roy & cases avaunt ditz ou que processe Premunire facias en manere come est provisours & autres qi seuent la regalie nostre seigneur le Roy.

roialme purroit estre destruit
que ce est encountre le Roi & sa
corone sicome est contenuz en
la petition avant nome. Et
semblablement les ditz procu-
rators chescun par soy exa-
mine sur le ditz matieres ount
respondu & dit en noun & par
leur seignurs come les ditz
evesques ount dit & respondu
& que les ditz seignurs esperitu-
eles veullent & doivent estre
ovesque le Roi nostre seigneur en
ceux cases loialment en suste-
nance de sa corone & en toutz
autres cases tochantz sa corone
& regalie come ils sont tenuz
par leur ligeance sur quoy no-
stre dit seigneur le Roi del as-
sent avaunt dit & a la priere de
sa dit communalte ad ordeigne
& establie que si ascun purchase
ou pursue ou face purchacer ou
pursuer en la courte de Rome
ou aillours ascuns tieux trans-
lations processe & sentences de
escomengementz bulles instru-
mentz ou autre chose qeconque
que touche le Roi nostre seigneur
encountre luy sa corone & re-
galie ou son roialme come de-
vant est dit & ceux que les porte
deinz le roialme ou les receive
ou face ent notification ou au-
tre execution queconque deinz
mesme le roialme ou dehors
soient ils leur notairs procura-
tors meintenours abettours
fautours & conseilours mys
hors de la protection nostre dit
seigneur le Roy & leurs terres
& tenements biens & chatieus
forfaitz au Roy nostre seigneur
& qils soient attachez par leur
corps ils purront estre trovez
son conseil pur y respondre es
soit fait devers eux par Premu-
nre facias en autres estatutz des
en autry courte en derogation de

CAP. VI.

peal of part of the statute of 13 R. 2. stat. 2. c. 1. touching his forfeiture that obtaineth a pardon.

EM come en un article un estatut fait a parlement a Westminster Lunedy apres le fest de seint Hilary xiii. nostre seigneur le qore est ordeigne fuisse & nte qe nulle chartre de on delors ferroit allowe ant queconques justices murdre mort de homme par agaitte assaute ou re prepense treson ou rape mme si mesme le murdre mort de homme occys par assault ou malice prepense treson au rape de femme feussent especifiez en la chartre & si chartre mort de homme feusse e devaunt queconques justice en quelle chartre ne feussent especifiez qe celui de qui aucune tiel feusse arene murdre ou occys par assault ou malice prepense engeroient les justices par enqueste del visne ou le feust occys cil feust libre ou occys par agaitte ou malice prepense & roeverent qil feust murdre ou occys par agaitte assaute malice prepense ferroit la re disallowe & outre fait c. ceo qe la ley demaunt les queux choses nostre Roi voet & grante oient fermement tenez & z. Et outre de lastent desurs en cest present parlement & a la prier de sa dit comalte ad ordeigne & graunte remenant du dit article le tout ouste repelle & ad cestavoire "Qe si aucun dit ou Roy &c. *ad finem cap.*"

ITEM, *whereas in an article of a statute made in the parliament holden at Westminster, the Monday next after the feast of St. Hillary, the thirteenth year of the reign that now is, it was ordained and granted, That no charter of pardon from thence should be allowed before any justices for murder, death of a man slain by await, assault, or malice prepened, treason, or rape of a woman, if it were not specified in the same charter: (2) And if any charter of the death of man were alledged before any justices, in which charter was not specified, that he of whose death any such was arraigned, was murdered, or slain by await, assault, or malice prepened, the justices should enquire by a good inquest of the Visne where the dead person was slain, if he were murdered or slain by await, assault, or malice prepened; and if they should find that he was murdered or slain by await, assault, or malice prepened, the charter should be disallowed, and moreover done as the law should require; which things our lord the King doth will and grant, that they shall be firmly holden and kept. (3) And moreover, by the assent of the lords in this present parliament, and at the prayer of the commons, he hath ordained and granted, That the residue of the said article shall be wholly out, repealed, and adnulled; that is to say, if any sue to the King for a charter of pardon for murder, death of man slain by await, assault, or malice prepened,*

In a pardon of murder, treason, or rape, the offence shall be comprised:

A confirmation of the first part of the statute 13 R. 2. stat. 2. c. 1. and a repeal of the latter part thereof.

pensed, or rape of a woman, if the chamberlain indorse, or cause to be indorsed such bill, he shall put the name of him that maketh suit for such a charter upon the same bill, upon pain of a thousand marks; and if the under chamberlain indorse such bill, he shall do likewise, upon pain of five hundred marks. (4) And that none other but the chamberlain or under-chamberlain shall indorse, or cause to be indorsed any such

bill, upon pain of a thousand marks. (5) And that no warrant of the privy seal shall be made to have a charter, except the keeper of the privy seal have such bill indorsed or signed by the chamberlain or under-chamberlain as afore. (6) And that no charter of pardon of treason, or of other felony, shall pass the chancery without warrant of the privy seal, but in case where the chancellor may grant it by his office without speaking thereof to the King. (7) And that he at whose suit any charter of pardon for murder, death of man slain by await, assault, or malice pre-pensed, treason or rape of a woman, shall be granted, if he were an archbishop or a duke, he shall pay to the King a M li. if he were a bishop or an earl, he shall pay to the King a M marks; and if he were an abbot, prior, baron, or baronet, he shall pay to the King 500 marks; and if he were a clerk, bachelor, or other of less estate, of what condition that he be, he shall pay to the King two hundred marks, and shall have a year's imprisonment: (8) because that the said commons of the realm since have perceived great grievance of this ordinance aforesaid, for that many people for malice have indicted divers persons of murder, death of a man slain by await, assault, and malice prepensed, and treason, where in truth there was no such cause, to the intent that no man should be bold to sue to the King our lord for such charter.

The forfeiture of him at whose suit the pardon aforesaid is obtained.

REX vicecomiti Kanc' salutem. Quoddam statutum in parlamento nostro apud Wynton' in octabis sancti Hillarii ultimo preteritis convocato de assensu prelatorum magnatum & communitatis regni nostri Anglie ibidem existentium ad communem utilitatem populi ejusdem regni editum tibi mittimus sigillo nostro consignatum mandantes quod statutum predictum ac omnes & singulos articulos in eodem contentos infra ballivam tuam in locis ubi melius expedire videris legi & publice proclamari ac quantum ad te pertinet inviolabiliter observari facias. T. R. apud Westm' primo die Maii.

Per ipsum Regem.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam ac Johanni duci Acquitanie & Lancastrie & ejus cancellario in dicto ducatu Lancastrie sub eadem data.

Per ipsum Regem.

Statutes

es made at *Westminster*, Anno 17 RICH. II.
and *Anno Dom.* 1393.

font les choses ordeig-
z & establiz par nostre
le Roi a son parlement
n' al quinzeine de seint
un de son regne dys &
par assent du dit par-
les quelles il voet & co-
jils soient fermement te-
ardez solonc la purport

THESE be the things or-
dained and establisht by
our lord the King at his parlia-
ment holden at Westminster the
fifteenth day of St. Hillary, the
seventeenth year of his reign, by
the assent of the said parliament,
which he doth will and command,
that they shall be firmly holden and
kept after the purport of the same.

CAP. I.

Shall be no melting of money to make any thing thereof.

Foreign money shall not be current.

nerement qe come or-
gne fuisst par le noble
WARD aiel nostre sei-
Roi lan de son regne
e null esterlyng maiel
ng soit foundu pur ves-
se chose ent affaire par
nautres sur peine de
e de monoie fondu &
nement del foundour
vera renduz au Roi la
le ceo qil avera issint
nientcontrestant char-
anchise grantez ou usez
ire accordez est & as-
se la dite ordinance soit
ent tenuz & gardez.
tre est ordenez & as-
se nul grote ne dimy
it fondu par nully pur
autre chose ent affaire
ne la peine. Et qe nul
dorene dargent d'Escocce
utres terres dela la meer
en null manere paie-
inz le roialme d'Engle-
ais soit portez a la bul-
y estre tournes en la
d'Engleterre sur peine
ture dicelle & dempri-
it & fyn & raunceon de
face le contraire & qe
nul

FIRST, where it was ordain-
ed by the noble King ED-
WARD, grandfather to our lord
the King, the ninth year of his
reign, that no sterling, half-peny
nor farthing, shall be molten for
vessel, nor other thing thereof to
be made by the goldsmith, nor o-
thers, upon pain of forfeiture of
the money so molten, and imprison-
ment of the founder, till he have
yielded to the King the half of that
which he hath so molten, notwith-
standing any charter or franchise
granted or used to the contrary; it
is accorded and assented, That
the said ordinance shall be firm-
ly holden and kept, And
moreover it is ordained and as-
sented, That no groat nor half
groat shall be molten by any
man to make vessel, or other
thing thereof, upon the same
pain. And that no gold nor
silver of Scotland, nor of other
lands beyond the sea, shall run
in any manner of payment
within the realm of England,
but shall be brought to the bul-
lion, there to be molten in the
coin of England, upon pain of
forfeiture of the same, and of

9 Ed. 3. stat. 2.

c. 3.

No sterling

money shall be

melted for

vessel;

nor exchange
made of Eng-
lish money for
Scottish mo-
ney.
19 H. 7. c. 5.
13 & 14 Car. 1.
c. 31.

imprisonment, fine, and ran-
som of him which doth con-
trary; and that no man shall
send any *English* money into
Scotland to change the same in
money, or for *Scottish* money,
upon the pain next aforesaid.

nul porte nenvoie aucune mo-
noie d'Engleterre en Escocce pur
le chaunger en monoie ou pur
monoie d'Escocce sur la peine
proschaine avaunt dite.

CAP. II.

Every person may make cloth of what length and breadth he will.

4 H. 4. c. 24.
Rep. 5 & 6 Ed.
6. c. 6.

Every man
may make
cloth of what
length and
breadth he
will.

No cloth shall
be sold before
it be measu-
red and seal-
ed by the
aulneger.

There shall be
no deceit in
cloths.

What to be
understood by
the word
cloth, see

47 Ed. 3. c. 1.

71 H. 6. c. 9.

* Or mingle
cauce.

ITEM, That every man of
the realm may make, and
put to sale and sell cloths, as
well kerseys as others, of such
length and breadth as him
please, paying the aulnage,
subsidy, and other duties; that
is to say, of every piece of
cloth after the rate, notwith-
standing any statute, ordinance,
proclamation, restraint, or de-
fence made to the contrary.
And that none shall sell or put
to sale any cloths before that
they be measured by the King's
aulneger, and sealed with the
seal to that ordained, upon
the pains contained in the sta-
tutes thereof made. And that
no man shall put, mingle,
cauce, * nor make other deceit
in the cloths of kerseys, upon
pain of forfeiture of the same.

ITEM qe chescun homme
de roialme purra faire met-
tre a vent & vendre draps si-
bien de kerseys come autres
de tiel longure & laeure come
luy plerra paient launage sub-
side & autres devoirs cestass-
voir de chescune pece de drap
solonc lasserant nient contre-
steant aucun estatut ordinance
proclamation restreint ou de-
fense fait au contraire. Et qe
nully vende ne mette a vendre
aucuns draps avaunt qils soient
aunez par launour du Roi &
ensealles du seal a ceo ordeigne
sur les peines contenuz en le-
statutz ent faitz. Et qe nully
mette ne melle cauce ne face
autre fraude en les draps de
kerseys sur peine de forfaiture
dicelles.

CAP. III.

What sort of worsteds may be carried forth of the realm, and what not.

Ex edit. Pult.
What sort of
worsted may
be carried
forth of
the realm
and what not.

ITEM, That the merchants and workers of cloths called single
worsted, may carry bolts of single worsted to what part
they will (except to the King's enemies) paying the customs
and subsidies thereof due, without paying the duties of *Calais*,
notwithstanding any statute, ordinance, proclamation, inhibi-
tion, commandments or charters, liberties, usages, or privileges,
granted or to be granted to the burgesses of *Calais*, or to the
merchants of the staple of *Calais*, or to any other made or to be
made to the contrary. And that the obligations and sureties
taken before this time for the duties of *Calais*, shall be restored
and delivered. Provided always, That under the colour of the
said bolts of single worsted, they shall carry no double worsted

double, nor worsteds ray, nor motley, upon pain of
e of the same.

C A P. IV.

It sold to London shall be cleansed from the dust.

que les breez que ferra
en les countees de
don Cantebr' Hertf'
Bed' que ferra venduz
ez a la citee de Lon-
vitailler loftiel du Roi
ostielx dautres seignurs
ls illoeques demorantz
antz & auxint pur su-
de tout le poeple de
soit bien & covenan-
nettez moundez &
devaunt le vent dicell
e & de tout autre or-
t que les achatours pur-
r oept buffelx de pure
le quarter. Et que les
ailiffs & gardeins des
ieux ou tiel breez fer-
iz eient poair a che-
te que pleindre se vou-
reer & sercher le dit
defaute soit trove dent
redresse.

ITEM, That the malt which shall be made in the coun-
ties of *Huntingdon, Cambridge,*
Northampton, and Bedford, that
shall be sold and brought to
the city of *London,* to victual
the King's household, and other
lords households, and gentle-
men's theredwelling and repair-
ing, and also for sustenance of all
the people of the said city,
shall be well and sufficiently
sifted, cleansed, and purified,
before the sale of the same,
from dust and all other filth,
so that the buyers may have
eight bushels of clean malt for
the quarter. And that the
mayors, bailiffs, and wardens
of towns and places where such
malt shall be sold, shall have
power at every man's suit that
will complain, to see and search
the said malt, and if default be
found thereof, to make due
redress.

Malt sold to
London shall
be cleansed
from dust.

4 Inst. 51.
2 & 3 Ed. 6.
c. 10.

C A P. V.

*er, gauger, aulneger, customer, shall have no assured
estate in his office.*

ordeignez est & esta-
null sercheour gauge-
vins auneour tronour
ur de leynes ou afcuns
rchandises collectours
mes & subsidies que-
u controllour eit estat
office a terme de vie
ns eins que les ditz of-
nurgent es mains du
governance del tresor-
: temps esteant ovesqe
conseil quant y bo-
si afcuns chartres ou
iteates soient faitz au
conq.

ITEM, It is ordained and e-
stablished, That no search-
er, gauger of wines, aulneger,
finder^b, nor weigher of wools,^b
or any other merchandises,
collector of customs and sub-
sidies whatsoever, or comptrol-
ler, shall have estate in his of-
fice for term of life, or of years;
but that the said offices shall
remain in the King's hands
under the governance of the
treasurer for the time being,
with the assent of the coun-
cil, when need is; and if any

Dyer, 303.

^b *Tromper.*

Officers re-
moveable at
the King's
pleasure.

4 Mod. 276,
277.

14 R. 2. c. 10.
1 H. 4. c. 13.
4 H. 4. c. 24.
35 H. 6. c. 5.

charters or letters patents be made to the contrary, they shall be clearly adnulled, void, and of none effect.

contraire soient outrement voides & de null effect.

CAP. VI.

Upon an untrue suggestion in the chancery, damages may be awarded.

Upon an untrue suggestion made in the chancery against any man, the chancellor may award damages.

ITEM, forasmuch as people be compelled to come before the King's council, or in the chancery, by writs grounded upon untrue suggestions; That the chancellor for the time being, presently after that such suggestions be duly found and proved untrue, shall have power to ordain and award damages according to his discretion, to him which is so troubled unduly, as afore is said.

15 H. 6. c. 4.
4 Inst. 82.

ITEM qe quant gentz sont faitz venir devaunt le conseil du Roi ou en la chancellerie par briefs founduz sur suggestions nient vrais qe le chancellor pur le temps esteant maintenant apres qe tielx suggestions sont duement trovez & provez nient veritables eit poair dordeigner & agarder damages solonc sa discretion a celui qest issint travaillez noun duement come defuis.

CAP. VII.

All the King's subjects may carry corn out of the realm when they will.

Ex edit. Rast.
Corn.

ITEM, the King, at the request of the commons to him made in this present parliament, hath granted licence to all his liege people of his realm of England, to ship and carry corn out of the said realm, to what parts that please them, except to his enemies, paying the subsidies and devoirs thereof due; notwithstanding any ordinance, proclamation, or any defence made before this time to the contrary: nevertheless he will, That his council may restrain the said passage when they shall think best for the profit of the realm.

Rep. 21 Jac. 1.
c. 28.

CAP. VIII.

The sheriffs, and all other the King's officers, shall suppress rioters, and imprison them, and all other offending against the peace.

Altered by
11 H. 4. c. 7.
1 Hale's Hist.
Pl. Cr. 496.
1 Hawk. Pl. Cr.
161.

ITEM, whereas at the parliament holden at Westminster, the tenth year of the reign of our sovereign lord the King that now is; forasmuch as villains and other offenders of late have risen by assemblies and outrageous number in divers parties of the realm, against the King's dignity and his crown, and the laws of his land; it was plainly defended by the King

ITEM coment qa parlement tenuz a Westm' lan du regne nostre seignur le Roy qore est quint pur ceo qe villeins & autres messelours tard devant leverent par assemblees & outrageouse nombre en diverses parties de roialme encontre la dignitee nostre seignur le Roy & la corone & les leies de sa terre defendu fust par nostre seignur le

estroitement a touz mades gentz qe nul delors t ou recomenceroit tielx ou rumour nautres fems et si nully le ferroit & rove duement ferroit fait come de traitour au Roi roialme nientmeins grepleint fuisit fait a nostre gnur le Roi en cest prearlement qe diverses gentz eiantz consideration a dit e sibien en les countees estre Lancastre & aillours ngleterre ont faitz tielx oles en outrageouse nomar accomplir lour malice tre la pees nostre seignur sa corone & sa dignite & es de sa terre par quoi noignur le Roi en cest prearlement ad defendu a ses lieges sibien seignurs autres de quecunqe estat ient qe null face tielx aseriot ou rumour enconpees en nul manere et si tiel assemble soit comena plus tost qe viscontz & ministres le Roi poent oir conissance ove la force intee & pais ou tiel cas e mettent destourbance tre tiel malice ove tout voair & preignent tielx ours & les mettent en e tanqe due execution de it fait de eux & qe touz s & autres liges du roi oient entendantz & aide tout lour force & poair ontz & ministres avant tiel cas.

King to all manner of people, That none from henceforth shall make, or begin again such riot or rumour, nor other like; and if any man did, and that duly proved, he should be taken as a traitor to the King and his realm. Nevertheless a grievous complaint was made to our sovereign lord the King in this present parliament, That divers people not having consideration to the said defence, as well in the counties of Chester, Lancaster, and elsewhere in England, have made such assemblies in outrageous manner, to accomplish their malice against the King's peace, his crown, his dignity, and the laws of his land: wherefore our sovereign lord the King in this present parliament hath defended to all the liege people, as well lords as other, of whatsoever estate that they be, that none shall make such assemblies, riot, or rumour against the peace in no-wise; and if any such assembly be begun as soon as the sheriffs and other the King's ministers may thereof have knowledge, they with the strength of the county and country, where such case shall happen, shall set disturbance against such malice with all their power, and shall take such offenders, and them put in prison, till due execution of the law be of them made, and that all lords and other liege people of the realm, shall be attending with all their strength and power to the sheriffs and ministers aforesaid.

CAP. IX.

Justices of peace shall be conservators of the statutes made touching salmons.

Vi come contenu soit en lestatut de Westm' seconde

ITEM, *where it is contained* 13 Ed. 1. stat. 1. *in the statute of Westminster* c. 47. *the* 13 R. 2. stat. 1. c. 12.

Stalkers nor
other nets
shall be used
to destroy the
fry or breed of
of fish.

the second, that young salmons shall not be taken or destroyed by nets, or by other engines, at the flanks of mills, from the midst of April till the nativity of St. John the Baptist, upon a certain pain limited in the same statute: and whereas by a statute made the xiii. year of the King that now is, it was ordained, That the said statute of Westminster the second should be firmly bolden and kept, (2) joining to the same, That young salmons should not be taken at the mills, flanks, or elsewhere, upon the same pain: and that no fisher nor garthman, nor none other, of what estate or condition that he were, should not put from henceforth in the waters of Thamise, Humber, Ouse, Trent, nor none other water of the realm, by the said time, nor by none other time of the year, any nets called stalkers, nor other nets or engines whatsoever, whereby the fry or breed of salmons, lampreys, or of any other fish whatsoever, may in any wise be taken or destroyed, upon the pain aforesaid. And also it was rehearsed in the said statute, made the said thirteenth year, that where it is contained in the same statute of Westminster, that all the waters, in which salmons be taken in the realm, shall be put in defence, as to the taking of salmons, from the day of the nativity of our Lady, till St. Martin's day; it was ordained and assented in the said statute made in the said xiii. year, That the waters of Lone, Wyre, Mersee, Rybbyl, and all other waters in the county of Lancaster, should be put in defence, as to the taking of salmons, from the day of St. Michael till the day of the Purification of our Lady, and in none other time of the year, because that salmons be seasonable in the

conde que salmosseux ne prisez ne destruitz par re par autres engines & lest de molyns de dimy April la nativite de seint John Baptistre sur certaine peine limite en mesme lestatut. come par estatut fait lan zime nostre seigneur le Roi est ordeigne fust que le dit tut de Westminster seconde fermement tenuz & gard jouste a icell que salmosseux fussent prisez a lestankes molyns naillours sur mesme peine & que null peschoi garthman ne null autre de estat ou condition qil fut mettroit delors en avaul les eawes de Thamise Humber Ouse Trent ne nulle eawe duroialme par le dit ne par null autre temps de ascuns rees appelez stautres rees nengines que ques par les quels le fri brood des salmons laum ou dautre pessoun quec purra en ascun manere pris ou destruitz sur la pain suisdite. Et auxint fuit rel en le dit estatut fait lan trefz avaut que come contenu en mesme lestatut de Westminster que touz les eawes en que salmons sont prises en le realm soient misez en defence quant al prise des salmons jour de la nativite de nostre Dame tanqal jour de seint Martin ordeigne fust & assente en le dit estatut fait lan trefz que les ewes de Lone Wyre Mersee Ribbill & toutz autres ewes el conte de Lancastre soient misez en defence quant prise de salmons del jour seint Michel tanqal jour de la Purification nostre Dame en null autre temps del an & que salmons ne sont pas seisonables en le

the

les ditz ewes par le
fuisdit. Et qe es par-
tielx rivers sont ferroi-
gnez & jurrez bones &
tz conservateurs de dit
fait lan trefzime come
deigne en le dit estatut de
1' & qils punissereient les
ours sur la peine conten-
n meisme lestatut de
1' sanz aucun favour ent
ueux estatutz nount pas
ement executz tanqe en
r defaute de bones con-
urs a ceo qe nostre seig-
Roi ad entendu par pleint
ait en cest present parle-
par qei acorde est & as-
se les justices de la pees
tz les countes d'Engle-
oient conservateurs des
statutz en les countees ou
t justices & que eux &
n de eux a touz les foitz
s poient entendre survej-
mesprisions & defautes
tez encontre les estatutz
ditz & auxint servient
hent touz les gors en
ivers qils ne soient trop
z pur destruction de tiel
brood mes de resonable
re solonc launcien assise
mesmes les justices ou
e eux qe trove defaute ou
ision encontre les estatutz
tditz facent due punisse-
des trespassours solonc la
vue de mesmes les esta-
Et qe mesmes les justices
nt bons & suffisantz sub-
vateurs de mesmes les
tz defoutz eux qe soient
de faire semblable sur-
erche & punissement sanz
favour ent faire. Et qe
ceo mesmes les justices
ir sessions enquergerent si-
le lour office come al in-
tion des subconservateurs
litz de touz trespasses
mes-

*the said waters by the time afore-
said. And that in the parts
where such rivers be, good and
sufficient conservators of the said
statute made the said thirteenth
year should be assigned and sworn,
as it was ordained in the statute
of Westminster, and that they
should punish the offenders upon
the pain contained in the same sta-
tute of Westminster, without
showing any favour thereof;
which statutes have not been hi-
therto duly executed for default of
good conservators, as our said
lord the King hath perceived by
complaint to him made in this pre-
sent parliament: wherefore it is
accorded and assented, That
the justices of the peace of all
the counties of England, shall
be conservators of the said sta-
tutes in the counties where they
be justices; and that they and
every of them, at all times when
they may attend, shall survey
the offences and defaults at-
tempted against the statutes
aforesaid, and also shall survey
and search all the weirs in such
rivers, that they shall not be
very strait for the destruction of
such fry and brood, but of rea-
sonable wideness after the old
assise used or accustomed; and
that the same justices, or any
of them, which shall find de-
fault or abuse against the sta-
tutes aforesaid, shall make due
punishment of them which be
found in default after the con-
tent of the same statute. And
that the same justices shall put
good and sufficient under-con-
servators of the same statutes
under them, which shall be
sworn to make like surveying,
search, and punishment, with-
out any favour thereof to be
shewed. And moreover, that
the same justices, in their ses-
sions,*

The justices of
peace shall be
conservators
of the statute
of 13 Ed. 1.
stat. 1. c. 47. and
13 R. 2. stat. 1.
c. 19.

Under conser-
vators ap-
pointed by the
justices.

sions, shall inquire as well by their office, as at the information of the under conservators aforesaid of all trespasses, misprisions, and defaults made against any of the points aforesaid, and shall cause them which be thereof indicted, to come before them, and if they be thereof convict, they shall have imprisonment, and make fine after the discretion of the same justices; and if the same be at the information of any of the under-conservators aforesaid, the same under-conservator shall have the halt of the same fine. And forasmuch as it is granted to the citizens of London, by the King's progenitors, that they may remove and take away all the weirs in the waters of *Thames* and *Medway*, and that they shall have the punishments thereof pertaining to the King; our said lord the King, in this present parliament, by the assent aforesaid hath granted, That the mayor or warden of London for the time being shall have the conservation of the statutes aforesaid, and shall make thereof due execution, and like punishment, as afore is ordained of the justices of the peace, in the said water of *Thames*, from the bridge of *Stanes* to London and from thence over in the same water, and in the said *Medway*, as far as it is granted to the said citizens as is said.

The mayor of London shall have the conservation of the statute in the Thames.

mesprisions & defautes fa contre ascuns des pointz ditz & facent venir devau ceux que soient ent end fils soient ent convictez emprisonement & facent lonc la discretion de mes justices & si ceo soit al i ation dascun de subcoi tous avaunt ditz eit m subconservateur la me mesme le fin. Et pur grante est a citeins de L par les progenitours nost nur le Roi qils poent 1 & prendre touz les ky les ewes de Tamise & waie & qils eient les p mentz ent a Roi appurte nostre dit seigneur le Roi present parlement de la vaunt dit ad grante qe ou gardein de Londres le temps serra eit la co tion des estatutz avaunt face ent due execution i blable punissement cor vaunt est ordeigne des de la pees en la dite Tamise del pont del St Londres & dilloeques o mesme lewe & en la d de Medewaye si loyns grante est as ditz citeyn devaunt est dit.

CAP. X.

Two learned men in the law shall be in commission of delivery.

Two learned men in the law shall be in the commission of gaol-delivery.

ITEM, forasmuch as thieves notoriously defamed, and others taken with the maner, by their long abiding in prison, after that they be arrested, be delivered by charters, and favourable inquests procured, to the great hindrance

of

ITEM pur ceo qe lan toriement diffamez tres prisez ove mainoen long demure en prison ceo qils sont arestuz so verrez par chartres & fav enquestes procurez a gri

ement du poeple accor-
est & assentuz qen chef-
commission de la pees
y le roialme ou y besoig-
soient assignez deux hom-
le ley de mesme le counte
el commission se fra daler
ceder a deliverance des
larons & felons tant & si
it come bon lour semble-

of the people, it is accorded and
assented, That in every com-
mission of the peace through
the realm, where need shall
be, two men of law of the
same county where such com-
mission shall be made, shall be
assigned to go and proceed to
the deliverance of such thieves
and felons, as often as they
shall think it expedient.

4 Ed. 3. c. 2.
13 R. 2. stat. 1.
c. 7.
18 H. 6. c. 11.

CAP. XI.

*aldermen of London shall not hereafter be elected yearly,
it remain until they be put out for a reasonable cause. **

OMBIEN qe ordeine & grante fust per le Roi EDWARD
besaiel & auxint per le Roi EDWARD aiel nostre seignur le
qorest qe les aldermen de la cite de Londres cesseroient &
ient remuez de lour dit office chescun an a le fest de seint
ore & qils ne ferroient mye reesluz lan prochein ensuant
qe autres sufficeantes perlonnes du dite cite ferroient ches-
an de novell esluz & mys en loffices avantditz nientmeyns
e dit seignur le Roy pur certains causes luy especialment
antz & mesment pur meillour governance de sa dite cite en
s avenir voet & ad ordeine par advys & assent de son conseil
ft present parlement qe desore enavant les aldermen de la dite
ie soient oustez ne remuez du dit office de aldermanrie a le
ft de seint Gregore ne null autre temps del an sanz honeste
sonable cause ne nulles autres esluz ne mys en lour lieux
demoergent avant dan en an en lour dit office tanqe ils soi-
emuez pur joust & resonable cause come desuis nientcon-
antz lordinances susdites.

4 Inst. 233.

CAP. XII.

*xplanation of the statute of 28 ED. III. c. 10. That
e mayors, aldermen, &c. of London shall not incur the
nalty of the said statute for erroneous judgement given, or
be given.*

OME per estatut fait en temps le Roy EDWARD aiel nostre
seignur le Roy qorest lan de son regne vynt septisme soit or-
& establi qe le meir viscontz & aldermen de la cite de Lon-
qont le government du dite cite facent redresser & corriger
rors defautes & mesprisjons qe sont notoirement usez en le
ite pur defaute de bon gouvernement des ditz meir viscontz
lermen & les duement punir de temps en temps sur certeine
cestassavoir au primer defaut mill marcz au Roy & a la se-
defaute deux mill marcz & a la tierce defaut qe la franchise
du

Repealed
1 H. 4. c. 15.

*This and the two following chapters are not upon the statute-roll,
re taken from the parliament-roll, m. 25. and first printed in Mr.
edition.*

du dit cite soit pris en la mayn le Roy & qe chescun des dis maire viscontz & aldermen qe vendra devant les justices le Roy en manere & forme qest ordeine per le dit estatut respoigne singulièrement pur luy mesmes sibien as peril des autres qe sont assentz come de luy mesmes Et qe ceste ordinance soit tenu ferme & estable nientcontrestant franchises privileges ou custumes qe conques sicome en le dit estatut est contenuz pluis au plein Et ore nostre seignur le Roy eiant consideration a la generale des ditz paroles cestassavoir errors defautes & mesprisions & as diverses entendementz qent purront estre conceuz si ad a la supplication de les meir viscontz & aldermen de la dite cite declare & grante per advys & assent des seignurs espirituels & temporels en cest present parlement qil nest pas sa volonte ne son entente lentent du dit estatut qe le meir viscontz & aldermen du dit cite qore sont ou ont estez devant ces heures ou enapres nencourgent ne portent la peine du dit estatut pur aucun juggement a-toigne renduz ou a rendre en la dite cite.

CAP. XIII.

The people of the ward of Farringdon withouth shall elect an alderman.

ITEM come la garde de Faryndon dedeins & dehors de la citee de Loundres est taunt encresteez des possessions & eshabitantz en icelle en poi des ans passez qe la governance dicelle est trop laborouse & grevouise pur une persone de le occuper & duement gouverner nostre seignur le Roy per assent de son conseil en cest present parlement a la priere del mair aldermans & la cominalte du dite citee ad ordeinez & grantez qe perentre cy & le fest de seint Gregoire proschein avenir les gentz de la dite garde de Faryndon dedeins puissent eslire un alderman sage sufficeant & able pur gouverner mesme la garde dedeins & estre nomez alderman de la garde de Faryndon dedeins et qe perentre cy & le fest de seint Gregoire les gentz de la garde de Faryndon dehors puissent eslire un autre alderman sage sufficeant & able pur gouverner mesme la garde dehors & estre nomez alderman de la garde de Faryndon dehors Et qe les ditz deux aldermans issint eiluz puissent estre establiz & nemye remoez si noun pur cause resonable come ordeinez est & grantez per nostre dit seignur le Roi en cest parlement des autres aldermans du dite citee.

De proclamatione statutorum proclamanda.

REX vicecomiti Kanc' salutem. Quoddam statutum in ultimo parlamento nostro apud Westm' tento per nos de assensu magnatum & communitatis regni nostri Anglie nobiscum ibidem assistentium editum tibi mittimus in forma patenti mandantes quod statutum illud & omnes & singulos articulos in eodem contentos in civitatibus burgis villis mercatoris & aliis locis infra ballivam tuam ubi melius expedire videris publice proclamari & quantum ad te pertinet firmiter & inviolabiliter observari facias. T. R. apud Westm' primo die Junii.

Per ipsum Regem & consilium.

Consimilia breviter diriguntur singulis vicecomitibus per Angliam ac Johanni duci Aquitanie & Lancastrie vel ejus cancellario in eodem statu Lancastrie sub eadem data.

Statum

as made at *Westminster*, Anno 20 RICH. II.
and Anno Dom. 1396.

Roy en ſon parlement
nuz a Westminster en la
Seint Vincent lan de
me vintisme del assent
latz seignurs & com-
le son roialme en mes-
urlement pur quiete &
ite de son poeple ad-
sins estatutz & orde-
pnsuient.

THE King at his parliament
holden at Westminster in
the feast of St. Vincent, the
twentieth year of his reign, by the
assent of the prelates, lords, and
commons of his realm of England,
assembled in the same present par-
liament, for the quietness and tran-
quility of his people, hath made
certain statutes and ordinances in
the form which followeth :

CAP. I.

no shall ride or go armed. *Launcegaies shall be put
out.*

erement come en un
ut fait lan septisme du
stre seigneur le Roy soit
z & assentuz qe nulle
chivache deins le roi-
nez contre la fourme
tut de Northampton
it ne ovesqe lancegaye
sime le roialme & qe
lancegayes soient de
tez deins le dit roialme
hose defendue par le
peyne de forfaiture di-
cegayes armures & au-
moys quelconques es
e possession dycelx qi
ra delors deinz mesme
ie encontre ycelles esta-
ordenances sanz espe-
ngie du Roy. Nostre
le Roy considerant le
amour a luy fait en
ent parlement de ce qe
statut nest mye tenuz
deigne & establiz en
e parlement qe les ditz
soient pleinement te-
ardez & duement exe-
qe les ditz lancegayes
out overtement ouster
ine contenue en le dit
estatut

FIRST, whereds in a statute ^{7 Ed. 1. stat. 1.}
made the seventh year of the ^{2 Ed. 3. c. 3.}
reign of the King that now is, it ^{7 R. 2. c. 13.}
is ordained and assented, That no
man shall ride armed within the
realm, against the form of the sta-
tute of Northampton thereupon
made, nor with launcegaies within
the same realm ; (2) and that
the said launcegaies shall be utterly
put out within the said realm, as
a thing prohibited by the King,
upon pain of forfeiture of the same
launcegaies, armours, or any other
harness, in the hands and possession
of them that bear them from hence-
forth within the same realm against
the same statutes and ordinances,
without the King's special licence :
(3) our lord the King, confi-
dering the great clamour made
to him in this present parlia-
ment, because that the said sta-
tute is not holden, hath or-
dained and establiſhed in the
said parliament, That the said
statutes shall be fully holden
and kept, and duly executed,
and that the said launcegaies
shall be clear put out upon the
pain contained in the said sta-
tute

Launcegaies
shall be clear-
ly put out.

3 Mod. 117.
No man shall
go or ride
armed.

The statute of
1 R. 2. c. 7.
touching giv-
ing of liveries
confirmed.

tute of *Northampton*, and also to make fine and ransom to the King. (4) And moreover, That no lord, knight, nor other, little nor great, shall go nor ride by night nor by day armed, nor bear sallet nor skull of iron, nor of other armour, upon the pain afore said, save and except the King's officers and ministers in doing their office. (5) And moreover the King will and hath ordained, That the statute made the first year of his reign, of liveries of hats, shall be holden and kept upon the pain contained in the same statute, and upon pain to be imprisoned, and make fine and ransom to the King.

estatut de Norhampton & outre de faire fyn & ranceoun au Roy. Et outre ce que null seigneur chivaler nautre petit ne grant aile ne chivache par nout ne jour armez ne porte paletre chapell de ferre nautre armure sur la peine susdite Sauvez & exceptz les officers & ministres du Roy en faisantz leur offices. Et outre ce le Roy voet & ad ordeigne que lestatut fait lande son regne primere de liveres des chaperons soit tenuz & gardez sur la peine contenue en mesme lestatut & sur peine destre emprisonnez & de fair fyn & ranceon au Roy.

C A P. II.

Who only may wear another's livery.

Ex edit. Rast.
Livery, justices
of peace.

ITEM, That no varlets called yeomen, nor none other of less estate than esquire, shall use nor bear no sign of livery called livery of company of any lord within the realm, unless he be menial and familiar or continual officer of his said lord. And that the justices of the peace shall have power to enquire of them, which do to the contrary, and them to punish according to their discretion.

Repealed by
3 Car. 1. c. 4.

C A P. III.

No man shall sit upon the bench with the justices of assise.

No man shall
sit upon the
bench with the
justices of as-
sise.

ITEM, the King doth will and forbid, That no lord, nor other of the country, little nor great, shall sit upon the bench with the justices to take assises, in their sessions in the counties of *England*, upon great forfeitu e to the King; and hath charged his said justices, that they shall not suffer the contrary to be done.

ITEM le Roy voet & defende que null seigneur nautre du pais petit ne grant ne soit seant en bank ovesque les justices as assises prendre en leur sessions es contees d'Engleterre sur grief forfaiture vers le Roy & ad chargez ses ditz justices qils ne soeffrent le contraire estre fait.

C A P. IV.

A confirmation of part of the stat. of 28 ED. III. c. 13. touching merchant strangers.

A confirmati-
on of that part
of the statute

ITEM, whereas it is contained in a statute of the late King EDWARD, grandfather to the King

ITEM que come il soit contenuz en un estatut de fre EDWARD nadgairs Roy d'Engleterre

aiel a nostre seignur le
r est lan de son regne
oetisme qe nulle ma-
nief qe soit frète de-
gleterre ou aillours soit
levenir a nul port d'En-
ne y demurer contre le
s meistres & mariners
ou des marchantz as
les biens sont et si tielx
egnent de gree ou foi-
acez par tempeste ou
fortune ou meschief a
port d'Engleterre & les
s & mariners ou mar-
de mesmes les niefs vo-
endre & delivrer partie
merchandises par loured
plunte bien lise a che-
eles merchandises a cha-
chement sanz empes-
it en le port ou tieles
endront tout ne soient
rchandises mises a la
ur vendre. Et qe les
s mariners & marchantz
e qils averont issint ven-
qe lour plerra de leur
ens & paie ent la cu-
uissent franchement de-
& aler ove lour niefs &
remenant de lour biens
ou lour plerra sanz cu-
ent paier nostre seignur
pur la quiete & ease de
ple voet qe le dit esta-
t tenüz & gardez en
pointz & duement exe-
ient contresteant aucune
lance ou usage au con-

King that now is, the xxviii year of 28 Ed. 3. c. 13. which giveth liberty to strangers to come and go where they will.
of his reign, That no manner of ship, which is freighted toward England, or elsewhere, shall be compelled to come to any port of England, nor there to tarry against the agreement of the masters and mariners of the same, or of the merchants to whom the goods be; and if such ships come of their own good will, or be driven by tempest, casually, or other misfortune, to any port of England, and the masters or mariners, or merchants of the same ships will sell or deliver part of their merchandises with their good will, it shall be lawful to every person to buy such merchandises freely without impeachment in the port where such ships shall come, albeit the merchandises be not put to sale to the land. And the masters, mariners, and merchants, after that they have so sold so much as pleaseth them of their said goods, and the custom thereof paid, may freely depart and go with their ships, and all the remnant of their goods, where it shall please them, without paying thereof custom: our said lord the King, for the quietness and ease of his people, willeth, That the said statute shall be holden and kept in all points, and duly executed, notwithstanding any ordinance or usage to the contrary.

CAP. V.

malty of him who taketh another's horse or beast for the King's service without sufficient warrant.

VI, forasmuch as the commons have made complaint, Ex edit. Pult.
at many great mischiefs, extortions and oppressions be 28 H. 6. c. 2.
y divers people of evil condition, which of their authority 12 Car. 2. c. 24.
id cause to be taken royally horses and other things, and
out of their wains, carts, and houses, faying and devising
ey be to ride on hasty messages and business, where of
.. II. B b truth

truth they be in no wise privy of any business or message only in deceit and subtilty by such colour and device to horses, and the said horses too hastily do ride and evil in having no manner of conscience or compassion in this behalf that the said horses become all spoiled and foundered, in no manner of thing nor peny for the same, nor giving them manner of sustenance: (2) and also that some such manner people changing and altering their names, do take and ride horses, and carry them far from thence to another place, so they to whom they belong, can never after by any means have again, nor know their said horses where they be, to great mischief, loss, impoverishment, and hindrance of King's poor people, their husbandry, and of their living lord the King willing for the quietness and ease of his people provide remedy thereof, will and hath ordained, That from henceforth shall take any such horse or beast in such manner against the consent of them to whom they be. (3) And any that do, and have no sufficient warrant nor authority of King, he shall be taken and imprisoned till he hath made agreement to the party.

The penalty of him who doth take any person's horse, &c. to serve the King without warrant.

CAP. VI.

Licence granted to Belknap, Holte, and Bourghes, to ride into England, notwithstanding the statute of 11 Ric. C. I.

Ex edit. Rast. Pardon.

ITEM, our sovereign lord the King hath assented and granted of his special grace, by assent and accord of all lords spiritual and temporal, and of all the commons in this present parliament, to *Robert Belknap, John Holte, and William Burghes*, knights of the Bath, and dwelling in *Ireland*, That they shall come into *England*, there to dwell for term of their lives. And they shall be persons able to the common law as the King's people, without being thereof impeached, notwithstanding statute thereof made the xi. year of the reign of our said reign lord the King. Saving always against them, all the points contained in the said statute.

Statutes made at *Westminster*, Anno 21 RICHARDI II. and Anno Dom. 1397.

Repealed by 1 H. 4. c. 3.

IT is to be understood, that our lord the King, by the grace of God King of England and of France, and lord of Ireland, at his parliament summoned and begun at Westminster the Monday next after the feast of the exaltation of the holy cross, and from thence

FAIT assavoir que nostre sire le Roy RICHARD II. par la grace de Dieu Roy de France & de France & de l'Irlande a son parlement mons & comencez a Westminster le lundi prochain apres l'Exaltation de la sainte

loeqes adjournez a Salop-
la quinzeme de seint Hil-
lonques proſchein enſuant
teqes terminez al honour
ieu & de ſainte eſgliſe &
a ſalvation & ſuretee de
oialme & bonne govern-
de ſon liege poeple de laſ-
& accord des prelatz ducs
s barons & communes de
oialme illoeqes assemblez
it certaines eſtatutz & or-
nces qenſuient.

thence adjourned to Shrewſbury,
until the fifteenth of Hillary then
next enſuing, and there ended, to
the honour of God and holy church;
and for the preſervation, ſalvation,
and ſurety of his realm; and good
governance of his people; of the af-
ſent and accord of the prelates;
dukes, earls, barons, and commons
of his realm there aſſembled, hath
made certain ſtatutes and ordina-
ces hereafter following.

CAP. I.

*Confirmation of former liberties to the lords ſpiritual and
temporal, cities, boroughs, and commonalty.*

RST that holy church, and the lords ſpiritual and tempo-
ral, and all cities and boroughs and other commonalties of
realme, have and enjoy their liberties and franchises from
eſorth, as they have reaſonably had and enjoyed in time of
noble progenitors Kings of England; and in his time.

Ex edit. Rati.

CAP. II.

*Deal of the commiſſion granted by the King to certain no-
men to enquire of certain abuſes, and of the ſtatute made
anno 10 Rich. II.*

EM, whereas the commons of the parliament have ſhewed to our
vereign lord the King, how in the parliament holden at Weſt-
ter, the firſt day of October, in the x. year of his reign, Tho-
duke of Glouceſter, and Richard earl of Arundel, traitors to
ing and his realm, and his people by falſe imagination and com-
g, cauſed a commiſſion to be made by ſtatute, direct to themſelves
ther perſons at their denomination, for to have the rule of the
and the realin, as well within the King's houſe as without, in
ing's ſeignories, beyond the ſea, as it is contained in the ſaid com-
n, the tenor whereof doth follow.

RICHARD by the grace of God King of England and of
France, and lord of Ireland, to all them that theſe preſent
tters ſhall ſee or hear, ſendeth greeting; we have certainly
own by the grievous complaint of the lords and the com-
ons, &c." as it appeareth in the x. year, rehearſing all the
commiſſion, ſo that the ſaid commiſſion and the ſaid ſtatute
hing the ſame commiſſion, ſeemeth to the ſaid commons to
rejudicial to the King and to his crown, and uſurpation of
egal and royal power, and that the ſaid duke of Glouceſter
earl of Arundel, did ſend a great man and peer of the realm
eſſage to our lord the King, who of their part ſaid, That if
ould not grant and aſſent to the ſaid commiſſion and ſta-
be ſhould be in great peril of his life, and ſo as well the ſaid

Commiffion.

commiſſion as the ſaid ſtatute touching the ſaid commiſſion, were made by constraint and compulſion, and againſt the agreement of the King and his will : wherefore the ſaid commons pray our ſaid ſovereign lord the King, that the ſaid commiſſion, and ſtatute touching the ſame commiſſion, with all their dependants be repealed and utterly adnulled, as a thing done traitorouſly and againſt his regal crown and dignity. Whereupon our ſovereign lord the King, of the aſſent of all the lords ſpiritual, and the proctors of the clergy, at the requeſt of the ſaid commons, here hath repealed the ſaid ſtatute in this article, and the ſaid commiſſion and all the pains and dependants of the ſame utterly to be adnulled for ever, for the cauſes aforeſaid. And moreover that the King of the aſſent of all the ſaid lords and commons hath ordained and eſtabliſhed, That no ſuch commiſſion neither ſuch like, be from henceforth purchaſed, purſued, nor made : and he that purchaſeth, purſueth or procureth to be made any ſuch commiſſion, or any like in time coming, privily or apertly, or uſe jurisdiction or power by virtue of any ſuch commiſſion, and of the ſame, be duly convicted in the parliament, he ſhall be adjudged for a traitor, and that of high treaſon done againſt the King and his crown. And the King ſhall have the forfeiture of his lands, tenements, poſſeſſions and all other hereditaments, to him and to his heirs as well holden of himſelf as of other.

CAP. III.

It ſhall be adjudged high treaſon for any perſon to compaſs the death of the King, to depoſe him, to make war againſt him within the realm, &c.

Br. treaſon. 24. **I**TEM, it is ordained and eſtabliſhed, That every man, which compaſſeth or purpoſeth the death of the King, or to depoſe him, or to render up his homage or liege, or he that raiſeth people and rideth againſt the King to make war within his realm, and of that be duly attainted and judged in the parliament, ſhall be judged as a traitor of high treaſon againſt the crown. And he for him and his heirs ſhall forfeit all the lands, tenements, and poſſeſſions, liberties and all other hereditaments, which he hath or any other hath to his uſe, or had the day of the treaſon done as well in fee tail as in fee ſimple to the King and his heirs, as well ſuch lands holden of other as of himſelf for ever ; and alſo ſuch poſſeſſion as other have to his uſe. And that this ſtatute ſhall extend and hold place as well to them which be judged or attainted for theſe iiij. points of the ſaid treaſon in this preſent parliament, as of them which ſhall be judged or attainted in the parliament in time to come of any of the iiij. points of treaſons aforeſaid. And it is not the mind of the King, nor of the lords, nor the aſſent of the commons aforeſaid, that if any ſuch, which forfeiteth in the manner aforeſaid, be infeoffed in any land, tenement, or poſſeſſion to others uſe, that that ſhall be comprized in the ſame forfeiture.

C A P. IV.

It ſhall be likewise bigb treason to attempt to repeal any judgments made by parliament againſt certain traitors.

ITEM, the King, by the aſſent aforeſaid, hath ordained and eſta-
bliſhed, That if any, of what eſtate or condition that he
be, do procure or counſel to repeal, abate, reverſe, or adnul, any
of the judgments given againſt any ſtatutes or ordinances made
in the ſame parliament or any parcel of the ſame in any wiſe,
and that duly proved in the parliament, that he ſhall be judged
and have execution as a traitor to the King and to the realm,
To which ordinances and ſtatutes well and lawfully to be holden
and kept, the lords of the realm, as well ſpiritual as temporal,
be ſworn, and have made others before the King, as it appear-
eth in the roll of the parliament.

C A P. V.

*The oaths and ſealty of great men ſhall be inrolled in parla-
ment.*

ITEM, moreover our ſovereign lord the King, for the more
ſurety in time coming, hath ordained and eſta-
bliſhed, That the oath of the ſaid lords ſhall be put of record in the parliament
roll. And that it be inrolled in the chancery, ſo that the ſuc-
ceſſors of all the prelates, upon the forfeiture of their ſealty for
their temporalties before that they have livery of the ſame out
of the chancery, ſhall make the ſame oath in all times to come.
And alſo that all the heirs of the ſaid lords temporal in time to
come, at the making of their homage or ſealty, before that they
have poſſeſſion of their lands out of the chancery, ſhall make
ſuch an oath.

C A P. VI.

*The ſons of the perſons before attainted excluded from par-
liament, &c.*

ITEM, the King, at the requeſt of the ſaid commons, by the
aſſent aforeſaid, for the more ſurety of him and of his realm
of England, and alſo of his people in time to come, hath ordain-
ed and eſta-
bliſhed, That the iſſue males of ſuch perſons fore-
judged now begotten, ſhall not come to the parliaments nor to
the councils of the King nor of his heirs, nor ſhall not be of the
King's council nor of his heirs. Saving always, That the iſſues
females of the ſaid perſons forejudged, and their iſſues, which have
other ſtrange fathers, ſhall not be indamaged by this ſtatute.

C A P. VII.

*A repeal of the annuities, corrodi-
es, &c. granted by thoſe
traitors.*

ITEM, the King hath ordained and eſta-
bliſhed, That all the
annuities, fees, corrodi-
es, and all other charges made or grant-
ed by them or any of them that be judged traitors in the ſame

parliament, after the day of the treasons done, shall be void annulled and holden for none.

CAP. VIII.

The King shall have the collation to all benefices so forfeited.

Treason.

ITEM, it is ordained and established, That the King shall have the presentments, gifts, and collations of all the benefices, whose advowsons were to the persons attainted in the said parliament, of every voidance fallen after the treasons of the said persons done and begun, except the benefices, of which the owners or incumbents have ratifications of our said sovereign lord the King, which owners the King will that they shall enjoy their said benefices And saving always, That they, which be by way of permutation with such benefices that they have thereof ratification if they will pursue.

CAP. IX.

The county of Chester made a principality, and several castles and towns annexed to the same.

Chester.

ITEM, our sovereign lord the King hath ordained and established, for the great charity and affection that he hath in the county of *Chester*, and to the gentiles of the same, and forasmuch as the King himself before that he did take the high dignity of King, and his honourable father before him, and other his noble progenitors, have been earls of the said county of *Chester*, and for the great honour of his eldest son, if God send him any, and of his other heirs, which shall have the same seignory hereafter, by the assent and accord of all the lords spiritual and temporal, and at the prayer of the said commons, hath ordained and established, for him and his heirs, that the said county of *Chester* shall be the principality of *Chester*, from henceforth named and holden the principality of *Chester*, with all the liberties and franchises thereof had and used, and in the same manner as it hath been before, when he was named earl of *Chester*, for ever. And moreover the King, of his certain science, and by the assent and accord aforesaid, and for the increase and honour of the state of princes, which shall be there, and for the ease, concord, and tranquility of his liege people of the said principality, and of the counties of *Flin* and *Shropshire*, and of the seignories, which be joining to the same, hath granted, ordained and established, That the castle of *Lyons*, with the seignory of *Brinsford* and *Yale*, to the said castle belonging : the castle of *Chirk*, with the seignory of *Chirkell* and to the said castle belonging : the castle of *Oswaldstreet*, with the town well walled with stone, and the hundred, and eleven towns to the said castle belonging : the castle of *Isabell*, with the seignory to the same, belonging to the castle of *Dallilay*, with the appurtenances in the county of *Shropshire*, and the reversion of the seignory of *Cleve*, with all their appurtenances, which *Edward* earl of *Rutland* holdeth for term of his life, all which towns, castles, and seignories aforesaid were to *Richard* late earl of *Arundel*, and which by force of the judgment

Principality of
Chester.

ment given against the said earl in the said parliament, be forfeit to our sovereign lord the King, shall be from henceforth annexed, united, and incorporate to the said principality of *Chester*, and shall wholly abide and remain to the same principality, as parcel and a member of the same for ever, without being given, sold, aliened, severed, or departed, from the principality, to any person by any way hereafter. And that no gift nor grant at any time hereafter be made of the said principality, nor of the castles, seignories, and towns, aforesaid, to no person, but all only to the King's eldest son, which shall be prince there, if it please the King to make him. And that the said eldest son, which shall have the said principality, shall have also the said castles, seignories, and towns as united and annexed to the same principality, without being severed or departed from the same in time to come, so that the said residents land, tenants, and all the inhabitants within the said castles, seignories, and towns, shall have, use, and enjoy, all their ancient laws, rights, and customs, there of old time reasonably had and used. Saved and reserved always to our sovereign lord the King his regalty, liberty, and franchise, and the rights of his crown. Provided always, That the said principality and the seignories aforesaid, shall have and enjoy the same laws, liberties, and customs, usages, rights, and franchises, of old time in the same reasonably had and used, as plainly and wholly as it was had and used before the beginning of the same parliament: the name of the county of *Chester* changed into the name of the principality of *Chester*, and the annexion and union of the said castles, seignories, and towns to the same notwithstanding.

CAP. X.

The castles and revenues of the late earl of Warwick shall remain in the King's hands.

ITEM, at the request of the commons, and by the assent of ^{Castle.} the lords spiritual and temporal aforesaid, it is ordained and established, That the castle and ^{Sheriffwick of} sheriffwick of *Winchester*, which ^{Winchester.} *Thomas* late earl of *Warwick* did hold in fee, and which by force of the judgment given against the said earl in the said parliament be seized into the King's hands as forfeit, with towns and hundreds, rents and salthouses, as well in *Worcester* and in the *Wich*, as elsewhere, and all other profits and things to the said castle and sheriffwick pertaining and belonging in any-wise or colour, as fully and wholly as the said earl, before the said forfeiture, had, shall be abiding and remaining to our sovereign lord the King, and to his heirs for ever, without being given or granted to any, or to be severed from his crown at any time hereafter.

CAP. XI.

And likewise those belonging to the duke of Gloucester.

ITEM, in the same manner, That all the hundreds, tournes, ^{Sheriffwick of} courts, liberties, and franchises, which *Thomas* late duke of *Essex*, ^{Gloucester.} *Gloucester* did hold in the county of *Essex* of the gift and grant of

the King, and of King EDWARD his grandfather, which were of old time annexed and joyned to the ſheriffwick of *Effex*, as parcell of the ſame, and which now by forfeiture of the ſaid duke, be in the King's hands as forfeit, ſhall be abiding and remaining to the King and to his heirs, joined, annexed, and united to the ſheriffwick of *Effex*, as parcel of the ſame for ever, without being given or granted to any, or to be ſevered or departed from the ſame ſheriffwick at any time hereafter.

CAP. XII.

The reſolution of certain judges and others concerning ſome queſtions about treaſon and other offences.

Repealed by
1 H. 4. c. 3.

ITEM, the lords, which were appellants in the ſaid parliament, that is to ſay, *Edward duke of Aumarle, Thomas duke of Surry, John duke of Exeter, John marquis of Dorſet, John earl of Salisbury, Thomas earl of Glouceſter, and William earl of Wiltſhire*, prayed to the King, reciting and ſhewing, how certain lords, which be convicted and attainted, that is to ſay, the duke of *Glouceſter* and the earls of *Arundel* and *Warwick* aſſembled at *Heringey*, forcibly and in great number, in the manner of war, made barriers betwixt the King and them, that the King's liege people might not approach to the King to ſuccour him, and ſo came in ſuch forcible manner to his palace of *Weſtmiſter*, arrayed in manner of war, that the King might not then reſiſt them without great peril of his body and deſtruction of his people; ſo that by coercion and compulſion the ſaid duke and earls made the King to ſummon a parliament at *Weſtmiſter*, the morrow after the Purification of our Lady, the xi. year of his reign, which parliament ſo begun, the ſaid duke and earls in ſuch forcible manner continued to the end, and in the ſame did give many divers judgments, as well of death of man as otherwiſe, upon divers of the King's liege people, and did give judgment of forfeitures, of lands, tenements, goods, and chattles, whereof they be convict of high treaſon, and alſo for certain queſtions, which were demanded by the King touching his eſtate and regalty, of certain of his juſtices then at *Nottingham*, the ſame year. And for their answers of the ſame given to the King upon the ſame queſtions, the ſame juſtices were forejudged of their lives and judgment given againſt them of forfeiture of their lands, tenements, goods, and chattles, the ſaid duke and earls made divers ſtatutes and ordinances in the ſaid parliament at their will: whereupon the ſaid appellants, conſidering the ſummons of the ſaid parliament to be made expreſſly againſt the right of the King's crown, and contrary to the liberty and franchise of his perſon and royal eſtate, willing to acquit them to the King as his faithful liege people, prayed him that the ſaid parliament be adnulled and clearly holden for none. And that all the judgments, ordinances, and ſtatutes, made and given in the ſaid parliament, and all things depending upon the ſame, ſhall be adnulled and revoked, and holden for none, as a thing done without authority, and againſt the will and liberty of the King, and the right of his crown.

Treaſon.

Parliament.

And that the lands, tenements, fees, and advowſons, and all other poſſeſſions ſeized by colour of the ſaid judgments, ſhall be reſtored and delivered to them which were ſo judged, to them and to their heirs. And alſo the ſaid commons prayed to the King, as the ſaid appellants prayed and ſaid, That their intent was to have prayed likewise; and thereupon the lords ſpiritual and temporal, and the procurers of the clergy ſeverally examined, aſſented expreſſly, That the ſaid parliament, and all the ſtatutes, judgments, ordinances, and all other things thereof made and followed, ſhall be void and adnulled and of no force nor value, and reſtitution made as afore is ſaid. And alſo as well the lords ſpiritual and temporal, and the procurers of the clergy, as the ſaid commons were ſeverally examined of the ſaid queſtions, and of the answers of the juſtices aforeſaid, the tenor whereof followeth in this manner.

“ **M**EMORANDUM, That the xxv. day of the month of
 “ Auguſt, the xi. year of the reign of King RICHARD the
 “ Second, at the caſtle of Nottingham, before our ſaid ſovereign
 “ lord the King, Robert Treſilian, chief juſtice, Robert Belknap,
 “ chief juſtice of the common bench, John Holte, Roger Fulthorpe,
 “ and William Burghie, knights, fellows of the ſaid Robert Belk-
 “ nap, and John Lokton, one of the King’s ſerjeants at the law,
 “ being perſonally required in preſence of the lords and other witneſſes
 “ under written by our ſaid ſovereign lord the King, in the faith and
 “ liegeance by which they be firmly bounden to the ſaid King, that they
 “ ſhould truly answer to certain queſtions under written, and be-
 “ fore them recited, and upon the ſame by their diſcretions to ſay the
 “ law.

“ **F**IRST, it was inquired of them, whether the ſame new
 “ ſtatute and ordinance, and the commiſſion made in the
 “ laſt parliament holden at Weſtmiſter, be hurtful to the King’s
 “ royal prerogative. The firſt
queſtion.

“ Whereunto all of one mind answered, That they be hurt- The answer.
 “ ful, and eſpecially becauſe they were againſt the King’s will.

“ Item, it was required of them, how they ought to be pu- The ſecond
queſtion.
 “ niſhed, which procured the ſaid ſtatute, ordinance, and com-
 “ miſſion to be made.

“ Whereunto, with one aſſent, they answered, That they The answer.
 “ deſerved to be puniſhed by capital pain, that is to ſay, of
 “ death, unleſs the King, in this part, of his grace, will pardon
 “ them.

“ Item, it was inquired how they ought to be puniſhed, The third
queſtion.
 “ which excited the ſaid King to conſent to the making of the
 “ ſaid ſtatute, ordinance, and commiſſion.

“ Whereunto, of one mind, they ſaid, That unleſs the King The answer.
 “ would give them his pardon, they ought to be puniſhed by
 “ capital pain.

“ Item, it was inquired of them, what pain they deſerved, The fourth
queſtion.
 “ that queſtion.

- “ that compelled the King to consent to the making of the said statute, ordinance, and commission.
- The answer. “ Whereunto, by one assent, they gave answer, That as traytors they ought to be punished.
- The fifth question. “ Item, how they ought to be punished, that did interrupt the King, so that he might not exercise those things that pertaineth to his regalty and prerogative.
- The answer. “ Whereunto, of one assent, it was answered, That they ought to be punished as traitors.
- The sixth question. “ Item, it was inquired of them, whether that after that the business of the realm, and the cause of the assembly of the parliament were by the King’s commandment disclosed and declared in the parliament, and other articles limited by the King upon which the lords and commons of the realm ought to proceed in the same parliament, if the lords and commons would in any-wise proceed upon other articles, and in any-wise upon the articles limited by the King, till the King had answered to the articles expressed by them, notwithstanding that they were by the King enjoined to the contrary, whether the King in this case ought to have the rule of the parliament, and indeed to rule, to the intent that upon the articles limited by the King, they ought first to proceed or not, before they proceeded any further.
- The answer. “ To which question, of one mind, they answered, That the King in this part should have the rule, and so in order one after another in all other articles touching the parliament, till the end of the parliament. And if any do contrary to this rule of the King, he ought to be punished as a traitor.
- The seventh question. “ Item, it was inquired of them, whether the King, whensoever it pleaseth him, might dissolve the parliament, and command his lords and commons to depart from thence or not.
- The answer. “ Whereunto it was, of one mind, answered, That he may. And if any would proceed in the parliament against the King’s will, he is to be punished as a traitor.
- The eighth question. “ Item, it was inquired, since that the King, whensoever him pleased might remove his officers or justices, and to justify and punish them for their offences, whether the lords and commons might, without the King’s will, impeach the same officers and justices upon their offences in the parliament or not.
- The answer. “ To which question it was by one mind answered, That they might not. And he that doth contrary is to be punished as a traitor.
- The ninth question. “ Item, it was inquired, how he is to be punished that moved in the parliament, That the statute should be sent for whereby Edward the son of king EDWARD, great grandfather to the King that now is, was another time indicted in the parliament, by the inspection of which statute, the said new statute or ordinances and commission were conceived in the parliament.

“ To which question of one accord they answered, That as The answer.
 “ well he that ſo moved, as the other which by force of the
 “ ſame motion brought the ſaid ſtatute into the parliament-
 “ houſe, be as criminous and traitors worthy to be puniſhed.

“ Item, it was inquired of them, whether the judgment The tenth
 “ given in our parliament holden at *Weſtmiſter*, againſt the question.
 “ earl of *Suffolk*, were errongous and revocable or not,

“ To which question of one aſſent, they ſaid, That if the The answer.
 “ ſame judgment were now to be given, the ſame juſtices and
 “ ſerjeant aforeſaid would not give the ſame, becauſe it ſeemed
 “ to them that the ſame judgment is revocable as erroneouſ in
 “ every part.

“ *In witneſs whereof the juſtices and ſerjeant aforeſaid to this pre-
 “ ſent have ſet their ſeals. Theſe men being witneſſes, The
 “ reverend fathers, the lords Alexander archbiſhop of York,
 “ Robert archbiſhop of Dublin, John biſhop of Durham,
 “ Thomas biſhop of Cheſter, John biſhop of Bangor, Robert
 “ duke of Ireland, Michael earl of Suffolk, John Ripon
 “ Clarke, and John Blake. Dated the day, place, month,
 “ and year aforeſaid.”*

Which questions and the answers of the ſame, as well before
 the King and the lords, as before the commons, were read and
 perceived, and it was demanded of all the ſtates of the parlia-
 ment, how they thought of the answers aforeſaid, and they ſaid,
 That they thought, that the ſaid juſtices made, and gave their
 answers duly and lawfully, as good and lawful liege people of
 the King ought to do. And in the ſame manner Sir *Thomas*
of Skelton learned in the law, and *William Hankeford*, and *Wil-*
liam Brenchley, the King's ſerjeants demanded by the King of their
 advice in this behalf, ſaid that the answers were good and law-
 ful. And that they would have given the ſame answers, if the
 ſaid questions had been demanded of them. And my lord *Wil-*
liam Thirning chief juſtice of the common bench, ſaid that the
 declaration of treaſon not declared, belongeth to the parliament.
 But if he were a lord, or a peer of the parliament, if he had
 been demanded, he would have ſaid in the ſame manner. And in
 like manner ſaid my lord *William Rikehyll*, juſtice of the common
 place, and after the coming of my lord *Walter Clopton*, chief
 juſtice, he ſaid in likewiſe. Wherefore the ſaid answers be
 judged and affirmed for good and ſufficient in the ſaid parlia-
 ment. Whereupon the King by the aſſent of the lords ſpiri-
 tual and temporal, and the procurators of the clergy, and the
 ſaid commons, and by advice of the juſtices and ſerjeants afore-
 ſaid, there being, it was awarded and judged, ordained and
 eſtabliſhed, that the ſaid parliament holden the ſaid xi. year,
 ſhall be clearly adnulled and holden for none, as a thing made
 without authority, and againſt the will and liberty of the King
 and the right of his crown. And that all the judgments, ſta-
 tutes, and ordinances made in the ſame, with all things depend-
 ing

ing upon the same, shall be revoked and annulled, reversed, and clearly repealed and holden for none. And that all lands, tenements, fees, advowsons, and all other possessions seized as forfeit by colour of the said judgments, shall be restored and delivered to them which were judged or put out, to their heirs, and to them that have in other manner cause of action or title of right in this behalf, with all manner of liberties and franchises and privileges, as far forth and wholly as they had at any time, with restitution of goods and chattles. But our sovereign lord the King, by advice of the said lords and commons, considering how the King for recovery and relief of his liege people, which were so judged or put out, and to make them to have restitution of their estates and lands, tenements, fees, advowsons, and other possessions aforesaid, hath had and supported great and excessive costs and expences, it seemeth to the King and to all the lords, that touching the said restitution it shall be a competent satisfaction to the said persons forejudged and put out, and to their heirs, to have restitution of their goods and chatels, or of the issues and profits of the said lands and tenements taken in the mean time. And moreover as to them, which have bought and purchased of the King much of the lands and tenements aforesaid, some in demean, and some in reversion, for certain sums to be paid to the King, he hath charged his council to inquire by their advice of the value of the said lands and tenements so sold, and how much the buyers thereof have taken in the mean time: and thereupon treat and make with them such end as good faith and conscience requireth: And thereupon it is ordained and established, That all they which will pursue for the restitution aforesaid, or for their recovery in this behalf, shall have a writ of *Scire facias*, returnable in the chancery, as often and such as they shall think needful, or take any other action at the common law if they will, and that they may sue against them which be tenants of the freehold, the *Monday* next after the said xv. year of Saint *Hillary*, and that their recovery be good and effectual against them, notwithstanding any alienations or demises made since the said *Monday*, or against other tenants at their election. And that no protection be allowed in this case, nor no delay by nonage, nor restraint nor aidprayer, but by aidprayer of the King. And that the said keeper of the privy seal shall make thereof letters of *Procedendo*, without pursuing or speaking to the King, or other delay, without doing waste or destruction in the mean time.

CAP. XIII.

A reversal of the sentence against Michael de la Pole, late earl of Suffolk.

ITEM, our sovereign lord the King, at the instance of the said lords appellants, and by assent of other lords of the parliament, considering how it was judged by all the estates of the parliament, that the answer made by *Robert Tresilian* and other his said companions the King's Justices at *Nottingham*, the said xl. year,

year, upon a certain question of them demanded, as it appeareth above, touching *Michael de la Pole*, late earl of *Suffolk*, was just, good and lawful; and that the said judgment given against the said earl in the said parliament, the said x. year of our said Parliament. sovereign lord the King, was erroneous and revocable, as before it appeareth; hath, by the assent of the parliament awarded, judged, and also established, that the said judgment given against the said earl in the said parliament, the said x. year, shall be repealed, reversed, and clearly adnulled, in like manner and form as the judgments given against the said earl and other judged in the said parliament, holden the said xi. year, were reversed and adnulled in the same parliament determined at *Shrewsbury*. And that all the lands and tenements, rents, fees, and advowsons, and all other possessions, which were to the said earl, and seized as forfeit by colour of the said judgment in the said parliament the said x. year, with all manner of liberties of franchises and privileges, as far forth, and as wholly as the said earl had them at any time before, should be restored to the heirs of the said earl, without having any issues or profits of the same in the mean time: and that the said heirs have their suit and recovery in the same manner as before.

CAP. XIV.

The King's pardon of robberies, thefts, outrages, and riots, committed in the time of the commotion.

ITEM, whereas the commons shewed to the King in the same parliament, how the said xi. year, at the time that the lords that be attainted, gathered them in great number forcibly with many people, and came to *Ratcote bridge*, where many robberies, thefts, felonies, trespasses, outrages, and riots were done, by which great mischief and trouble may come to the people hereafter, whereof they pray (to eschew such mischiefs and troubles,) that it would please the King to ordain and establish in the said parliament, that all actions and suits of the party, for all robberies, thefts, felonies, trespasses, outrages, and riots done by them, which rose in the company of the said lords at that time, and by that occasion, be extinct for ever: Whereupon the King, by advice of the estates of the parliament, hath ordained and established, That all the said actions and suits should be clearly extinct and adnulled, without having thereof any remedy in any wise in time to come. Pardon, Repealed by 1 H. 4. c. 3.

CAP. XV.

The King's pardon to all his subjects of alienations without licence, intrusions by the heirs after the death of their ancestors, treasons, felonies, &c.

ITEM, our sovereign lord the King, in the said parliament, considering the great affection and love to him shewed by his people, and their good port and the great tenderness and diligence that they have had for salvation of his realm, estate, and right of his crown; and also for consideration of the grant that they have made

made at this time of their good will, more than they have to any of his progenitors before this time, that is to say, the sidy of the wools, leather, and woollens, for term of his life, a *disme* and *quinzime*, and an half to be paid in manner comed in their said grant, and willing of his royal benignity to vide for the quietness, peace, and tranquility of his said people and that they should have the greater cause and courage well, to the best of their power in time to come : hath pardoned and released to all his liege people of *England*, of whatsoever or condition that they be, and to every of them, all manner of escapes of felonies, chattels of fugitive persons and felon trespasses, negligences, misprisions, ignorances, and all articles of the *Eyre*, and other things fallen or chanced within the realm of *England*, whereof the punishment lieth in fine or in prison, or in other pecuniar pains, or otherwise, imprisonment amerciaments of commons or of towns, of singular persons charge of freehold of them which never trespassed, as heirs or tenants of lands, of escheators, sheriffs, or coroners, and other. And also hath pardoned and released all manner of alienations and purchases made by them of lands, tenement any other possessions holden of him, in chief without the King's licence, and all manner of entries made in their heritages, chases, or otherwise, in part or in whole, after the death of ancestors, or of any other without pursuit or due process then made, till the *Thursday* the last day of the month of *January* last day of the said parliament, except those lands, tenement and possessions, which be aliened into mortmain without licence royal. And also hath thence wholly pardoned and released manner of fines, amerciaments, issues, forfeits not judged nor terminated, made, fallen, or happened within the realm of *England* before the said *Thursday*. And also hath pardoned them generally the suit of his peace for all manner of treason and felony made or done before the said *Thursday*, and the outlawries, in by this occasion be in them pronounced : except murders, rapes of women, and common thieves indicted the *Thursday*, that be perjury, and they which be appealed of the death of a man at the suit of the party, and except them which have compassed and purposed the King's death. Provided always, that none shall have the benefit of this pardon for treason nor felony if he pursue not a charter of pardon. Provided also, That that rode and gathered them forcibly against the King, the year of his reign, with the lords which be now judged and convicted, shall have no benefit of this act at this time, if they pursue not a charter of pardon in this behalf betwixt this and the feast of Saint *John the Baptist* next coming : and the King our liege lord, upon the grant of this grace and pardon so made to his liege people at this time, made an open declaration by his mouth. So that if the lords and commons of the realm, which shall come to the parliaments in time to come do put or cause any let or disturbance contrary to the grant of the said subsidies of wools, leather, and woollens, so granted to him for term of

that then the said grace and pardon shall be void and clear-
annulled.

Repealed by

1 H. 4. c. 3.

2 H. 4. c. 13.

C A P. XVI.

Authority given by parliament to certain commissioners to examine and answer petitions exhibited to the King.

TEM, it is to be remembered, That whereas the King at the request of the same parliament, making to them divers petitions as well for special persons as other not read nor answered, and which for shortness of time may not well be determined during the time of the parliament, it is ordained and assigned, by authority and assent of the said parliament, That *John* duke of *Nottingham*, *Edmund* duke of *York*, *Edmund* duke of *Aumarle*, *Thomas* duke of *Surry*, *John* duke of *Exeter*, *John* marquis of *Dorset*, *Roger* earl of *March*, *John* earl of *Salisbury*, and *Henry* earl of *Northumberland*, *Thomas* earl of *Gloucester*, *Thomas* earl of *Winchester*, and *William* earl of *Wiltshire*, or six of them, *John* *Hussey*, *Henry* *Greene*, *John* *Rusbell*, *Henry* *Chelmeswike*, *Robert* *Tey*, and *John* *Golofre*, knights, coming for the commons of the realm at the said parliament, or three of them, shall examine, answer, and plainly determine, all the said petitions, and the matters contained in the same, as they shall think best by their good advice and discretion in this behalf, by authority of the said parliament, it appeareth more plainly in the roll of the said parliament: our sovereign lord the King by the assent of the dukes of *Lancaster*, *York*, *Aumarle*, *Surry*, and *Exeter*, and of the said marquis, and of the said earls of *March*, *Salisbury*, and *Gloucester*, and the said *John* *Hussey*, *Henry* *Green*, and *John* *Rusbell*, by virtue and authority to them committed in the parliament, hath received and heard certain petitions, and thereupon made certain ordinances and statutes following, that is to say, whereas in a statute made in the parliament of our sovereign lord the King, holden at *Westminster* the fourteenth year of his reign, was contained, That no shoemaker nor cordwainer should not use the mystery of tanning, nor no tanner should use the mystery of cordwainer nor shoemaker, upon a certain pain comprised in the same statute. And notwithstanding the said statute and pain any cordwainers and shoemakers do yet use the mystery of tanner (as is aforesaid) in contempt of the King and in great detriment and impoverishment of the commons, because that due execution is not thereof made: whereupon the King will and hath ordained and established by the assent aforesaid, That the said statute so made be holden and kept, and duly executed with the pains of the same in all points, notwithstanding any repeal, statute, or ordinance made to the contrary.

Repealed by

1 H. 4. c. 3.

C A P. XVII.

There shall be no licences granted to ship merchandises of the staple to any other place but to Calais.

TEM, at the grievous complaint of the commons shewed how the staple was limited to remain at *Calais*, and that all the

the wools, woolfels, leather, lead, tin, cheefe, butter, and ho passing out of the realm of *England*, and of the lands of *Ir* and *Wales*, had recourse to the said place of *Calais*, and no elsewhere, certain persons, by their suggestion, have purch licences to carry wools and other merchandises afore said tow what parts it pleaseth them beyond the sea, whereas they have no such licences ought to abide at the said place of *C* to the great profit of them that be licenced, and damage of which have no licence, and destruction of the said staple, a great damage of the mint, coinage and customs of *Calais*; King, by the assent afore said, will, ordaineth, and establish That the statute thereof made be holden and kept, as to great merchandises, that is to say, wools, leather, woolfels, and lead, all only without granting any licence to the contr but by the special licence of the King himself: and if any licence be granted it shall be repealed.

Repealed by
1 H. 4. c. 3.
15 H. 6. c. 3.

C A P. XVII.

Stones shall be carried for lastage towards the repair o beacons, the place called Paradise, and other decayed p in Calais.

Repealed by
1 H. 4. c. 3.
15 H. 6. c. 5.

ITEM, whereas many works being about the town of *C* which in salvation and defence of the same town, and marches there, need daily to be maintained and repaired, t be two great works, most necessary of all to be sustained supported, that is to say, the beacons before the port there, the place called *Paradise*, which is nigh to the ditches of the town, which ditches, by the concourses and rages of the se always feebled and impaired, as well of stones cast out o stuffing of the same, as also of timber, so that if they be not stily amended, made, and repaired, the said port is likely to be stroyed and undone for ever: and the said place of *Paradi* now so ruinous and feeble, that if it be not newly made, sufficiently maintained and kept, it is likely that in that de the walls of the same town in this behalf, in short time, by great abundant concourses of the sea, shall be clearly deca in destruction and undoing of the said town, to the great mage of the King, and of his realm of *England*, which God fend; against which perils always to set sufficient remedy, all only at the King's costs and expences, and shall be very g and grievous charge, if a convenient ordinance thereof be provided; wherefore our sovereign lord the King, by the a afore said, hath ordained and established, That all mann ships accustomed to come to the said port out of the countr *England*, (fisher boats all only except) shall bring with ther their lastage of good stones, convenient for the stuffing of said beacons, in making their reasonable deliverance from t to time at their coming thither to the treasurer, which for time shall be there, or to other ministers thereto by him ord ed, upon the pain of ii. d. for the weight of every ton, an

much as the faid fhips be of portage. And that all manner of fhips entering at the faid place of *Paradiſe*, there to reſt, ſhall pay at every their entry there, xiiii. d. ſterling, and thereupon it ſhall be lawful to them, if they will there tarry for xiiii. days, with as many nights then next enſuing, without paying thereof more for their faid entry. And alſo in caſe that the foreſaid ſhips or boats tarry over the xiiii. days and nights aforeſaid, then they ſhall pay for every day and night a peny, and for the day alone a half-peny, and for the night alone a half-peny. And moreover it is ordained, That no manner of perſon ſhall preſume to tie any manner of ſhip nor boat by cable, cord, nor otherwiſe to the timber nor ſtones of the faid beacons nor *Paradiſe*, nor alſo of the newquay, otherwiſe called the wharf at the ſide of the faid port of the town of *Calais*, upon pain of xl. pence, to be levied of the ſhip or boat, which ſo ſhall be found tied. And alſo that the treaſurer, which there for the time ſhall be, ſhall have full power for him and for his deputies, to levy and receive the money of the pains aforeſaid incurred and riſing, and thereof to make payment according as ſhall be needful in his faid office, by the view and controllment of the King's comptroller there.

Repealed by
1 H. 4. c. 3.
10 H. 6. c. 3.

C A P. XIX.

Arebearſal and confirmation of the ſtatutes of 25 Edw. III. c. 4. and 45 Edw. III. c. 2. touching the pulling down of wears, mills, ſtaks, &c.

ITEM, whereas by Sir *Edward*, late King of *England*, grandfather to our ſovereign lord the King that now is, the xxv. year of his reign, forasmuch as common paſſages of ſhips and boats in the great rivers of *England*, were oftentimes troubled by the levying of wears, mills, ſtaks, and kiddles, to the great damage of the people; it was accorded and eſtabliſhed, That all ſuch wears, mills, ſtaks, ſtaks and kiddles, which were levied and ſet up in the time of King *EDWARD*, ſon to King *HENRY*, and ſince in ſuch rivers, whereby the ſhips and boats be troubled, and that they cannot paſs as they were wont to do, ſhall be out and pulled down for ever, without being relevied. And that writs thereupon ſhall be ſent to the ſheriffs of the places where need ſhall be, to ſurvey and inquire, and to make thereof execution. And alſo that the juſtices ſhall be thereupon aſſigned at all times when need ſhall require. And after at the grievous complaint of the great men and of the commons made in the parliament of the ſaid King *EDWARD* the grandfather, the xlv. year of his reign, complaining by their petition, that the ſaid ſtatute is not duly executed nor kept after the effect of the ſame, it was ordained and eſtabliſhed, That the ſaid ſtatute in that point ſhould be holden and kept after the effect of the ſame. Joyning thereunto that if any ſuch nuisance be made, it ſhall be pulled down by due proceſs contained in the ſaid ſtatute. And he that doeth the ſaid nuisance to be relevied, and thereof be duly attainted, ſhall incur the pain of a C. marks to the King, to be levied by the eſtreat of the exchequer. And that ſuch law

shall hold of nuisances by the enhansing of such wears, mills, stanks, and kiddles, as by new levying, as in the said statutes more fully appeareth. And now at the request of the said commons, shewing by their petition, that the common passages of ships and boats in the great rivers of *England*. And also meadows, and pastures, and arable lands, joining to the said rivers, be greatly troubled, drowned, wasted, an: destroyed by the outrageous enhansing and straitening of wears, mills, stanks, and kiddles, of old time made and levied before the time of the said King EDWARD, son to King HENRY, whereof great damages and losses have oftentimes happened to the people of the realm, and daily shall happen, if remedy thereof be not provided: it is accorded and established by the assent aforesaid, That the said statutes in all their articles, shall be firmly holden and kept, and also duly executed, with the pains, and after the effect of the same: joining to the same that commissions shall be made in due form to some sufficient persons to be justices in every county of *England*, where need shall be, to survey and also keep the waters and great rivers there, and the defaults to correct and amend, and to make due execution of the said statutes after the effect of the same, as well by their surveying, advice, and discretion, as by enquests thereof to be taken within franchise and without. And when need thereof shall be to hear and determine the things aforesaid. And moreover to survey the wears, mills, stanks, stakes, and kiddles of old time made and levied, before the time of King EDWARD, son to King HENRY. And such as they shall find too much enhanced, or straitened, to correct or pull down and amend, in the manner and form aforesaid, saving always reasonable substances of the said wears, mills, stanks, stakes, and kiddles aforesaid of old time made and levied. And if any such nuisances of wears, mills, stanks, stakes, and kiddles, of passages and streets of old time made and levied, be judged or awarded by the said justices to be corrected and amended, he that hath the freehold thereof, shall make thereof execution at his costs, within half a year after knowledge thereof to him made, upon pain of an hundred marks to be paid to the King by estreats of the exchequer, and he that doeth them to be relevied or enhanced or straitened against the said judgment, and thereof duly convict, shall incur the pain of an hundred marks to be paid to the King by the estreats of the exchequer aforesaid. And in case that any feeleth himself grieved by execution or otherwise in this behalf against right and reason, he shall pursue and have right and remedy.

Repeated by
1 H. 4. c. 3.

CAP. XX.

Whosoever shall pursue to repeal any of these statutes, and that proved in parliament, shall be adjudged a traitor.

Treason.

ITEM, the King by the assent of the said lords and knights, so assigned by the said authority of parliament, will and hath ordained, That every person that procureth, or pursueth to repeal or reverse any of the said statutes or ordinances made by

by the assent of the said lords and knights assigned, and authority of parliament, and that duly proved in court, he shall be judged and have execution as a traitor, and to the realm, in like manner as they which procure to repeal the statutes and ordinances made in the time of the said parliament.

Rep 1H.4.6.34

primo HENRICI IV.

made at *Westminster* in the first year of the King HENRY the Fourth, and in the fourth lord 1399.

Y par la grace de Roy d'Engleterre & seigneur d'Irlande Dieu & reverence d'Eglise pur nurrir unite & concorde des toutz le roialme d'Engleterre & recoissance le roialme qore & meschiefousement raunde ruine mesolation del assent des seigneurs & barons & especiale requeste des communes de mesme cestemblez a son parler a Westminster en le feste de la virginie lan de premier ad fait ordonner certains ordonnances estatutz en la forme

HENRY by the grace of God, King of England, and of France, and lord of Ireland, to the laud and honour of God, and reverence of holy church, for to nourish unity, peace, and concord, of all parties within the realm of England, and for the redress and recovery of the same realm, which now of late hath been dangerously put to great ruin, mischief, and desolation; of the assent of the prelates, dukes, earls, barons, and at the instance and special request of the commons of the same realm, assembled at his parliament holden at Westminster in the feast of St. Faith the virgin, the first year of his reign, hath made, ordained, and established certain ordinances and statutes in form as hereafter followeth.

CAP. I.

Restoration of the liberties of the church, and of all statutes repealed. Justice shall be done, and peace kept.

ment que seint esglise enjoiez toutes ses libertees & franchises & saunz embleishment de la graunde chartre de la forest & autres bones ordonnances faites en temps blez progenitours & nient

FIRST, That holy church have and enjoy all her rights, liberties, and franchises, entirely and without imbleming. (2) And that the Great Charter, and the Charter of the Forest, and other good ordinances and statutes made in the time of his noble progenitors,

A confirmation of the liberties of the church, and of all statutes not repealed.

shall hold of nuisances by the enhancing of such wears, mills, stanks, and kiddles, as by new levying, as in the said statutes more fully appeareth. And now at the request of the said commons, shewing by their petition, that the common passages of ships and boats in the great rivers of *England*. And also meadows, and pastures, and arable lands, joining to the said rivers, be greatly troubled, drowned, wasted, and destroyed by the outrageous enhancing and straitening of wears, mills, stanks, and kiddles, of old time made and levied before the time of the said King EDWARD, son to King HENRY, whereof great damages and losses have oftentimes happened to the people of the realm, and daily shall happen, if remedy thereof be not provided: it is accorded and established by the assent aforesaid, That the said statutes in all their articles, shall be firmly holden and kept, and also duly executed, with the pains, and after the effect of the same: joining to the same that commissions shall be made in due form to some sufficient persons to be justices in every county of *England*, where need shall be, to survey and also keep the waters and great rivers there, and the defaults to correct and amend, and to make due execution of the said statutes after the effect of the same, as well by their surveying, advice, and discretion, as by enquests thereof to be taken within franchise and without. And when need thereof shall be to hear and determine the things aforesaid. And moreover to survey the wears, mills, stanks, stakes, and kiddles of old time made and levied, before the time of King EDWARD, son to King HENRY. And such as they shall find too much enhanced, or straitened, to correct or pull down and amend, in the manner and form aforesaid, saving always reasonable substances of the said wears, mills, stanks, stakes, and kiddles aforesaid of old time made and levied. And if any such nuisances of wears, mills, stanks, stakes, and kiddles, of passages and streets of old time made and levied, be judged or awarded by the said justices to be corrected and amended, he that hath the freehold thereof, shall make thereof execution at his costs, within half a year after knowledge thereof to him made, upon pain of an hundred marks to be paid to the King by estreats of the exchequer, and he that doeth them to be relevied or enhanced or straitened against the said judgment, and thereof duly convicted, shall incur the pain of an hundred marks to be paid to the King by the estreats of the exchequer aforesaid. And in case that any feeleth himself grieved by execution or otherwise in this behalf against right and reason, he shall pursue and have right and remedy.

Repealed by
1 H. 4. c. 3.

CAP. XX.

Whosoever shall pursue to repeal any of these statutes, and that proved in parliament, shall be adjudged a traitor.

Treason.

ITEM, the King by the assent of the said lords and knights, so assigned by the said authority of parliament, will and hath ordained, That every person that procureth, or pursueth to repeal or reverse any of the said statutes or ordinances made by

ing, by the assent of the said lords and knights assigned,
wer and authority of parliament, and that duly proved in
urliament, he shall be judged and have execution as a trai-
the King and to the realm, in like manner as they which
e or procure to repeal the statutes and ordinances made
z the time of the said parliament.

Rep 1H.4 C.3d

Anno primo H E N R I C I IV.

rites made at *Westminster* in the first year of the
ign. of King HENRY the Fourth, and in the
ear of our lord 1399.

ENRY par la grace de
Dieu Roy d'Engleterre &
aunce & seignur d'Irland
pour de Dieu & reverence
inte eglise pur nurrir u-
pees & concorde des toutz
deinz le roialme d'Engle-
& pur relevation & reco-
de meisme le roialme qore
ad este meschieusement
tresgrande ruyne mes-
& desolation del assent des
es ducs contz & barons &
stance & especiale request
omunes de meisme cest
re assemblez a son parle-
tenuz a Westm' en le fest
inte Feie la virgine lan de
igne primer ad fait ordi-
establire certains ordi-
& estatutz en la forme
it.

HENRY by the grace of God,
King of England, and of
France, and lord of Ireland, to
the laud and honour of God, and
reverence of holy church, for to
nourish unity, peace, and concord,
of all parties within the realm of
England, and for the redress and
recovery of the same realm, which
now of late hath been dangerously
put to great ruin, mischief, and
desolation; of the assent of the pre-
lates, dukes, earls, barons, and at
the instance and special request of
the commons of the same realm,
assembled at his parliament holden
at Westminster in the feast of
St. Faith the virgin, the first year
of his reign, hath made, ordained,
and established certain ordinances
and statutes in form as hereafter
followeth.

CAP. I.

firmation of the liberties of the church, and of all states not repealed. Justice shall be done, and peace kept.

imerement que seint esglise
 ait & enjoiez toutes les
 ares libertees & franchises
 rment & saunz emblemis-
 nt et que la graunde char-
 la chartre de la forest &
 les autres bones ordinan-
 estatutz faites en temps
 nobles progenitours &
 nient

FIRST, That holy church have and enjoy all her rights, liberties, and franchises, entirely and without imblemishing. (2) And that the Great Charter, and the Charter of the Forest, and other good ordinances and statutes made in the time of his noble progenitors,

**A confirmati-
on of the li-
berties of the
church, and
of all statutes
not repealed.**

Cc 2

and

Peace shall be maintained and justice shall be done to all.

and not repealed, be firmly holden and kept in all points; (3) and that the peace within this realm be holden and kept, so that all his lawful liege people and subjects may from henceforth safely and peaceably go, come, and dwell, according to the lawful usages of the same realm; (4) and that good justice and even right be done to every person.

nient repellez soient fermement tenuz & gardez en toutz pointz et qe le paix deinz son roialme soit tenuz & gardez issint qe toutz ses loialx lieges & subgitz purront desore sauvement & paisiblement aler venir & demorer selonc les loies & usages de mesme le roialme & qe bone justice & oell droit soit fait a chescun.

CAP. II.

None shall be impeached that did assist King HEN. 4. or helped to pursue King RICH. 2. or his adherents.

Ex edit. Rast.

ITEM, That no lord spiritual nor temporal nor other person, of what estate or condition that he be, which came with our sovereign lord the King that now is into the realm of *England*, nor none other persons, whatsoever they be, then dwelling within the same realm, and which came to the King in aid of him to pursue them that were against the good intent of our sovereign lord the King and the common profit of the realm, in which pursuit RICHARD late King of *England* the Second, after the conquest was pursued, taken, and put in ward, and yet remaineth in ward, be impeached, grieved nor vexed, in person nor in goods in the King's court nor in none other court for the pursuit of the said King, taking and withholding of his body, nor for the pursuit of any other, taking of persons and chattels, or of the death of a man, or any other thing done in the said pursuit, from the day that the said King that now is arrived, till the day of the coronation of our said sovereign lord King HENRY. And the intent of the King is not that offenders, which committed trespasses or other offences out of the said pursuit, without special warrant should be aided or have any advantage of this statute, but that they be thereof answerable at the common law.

CAP. III.

A repeal of the whole parliament bolden Anno 21 RICH. 2. and of the authority given thereby.

Parliament.

ITEM, whereas the *Monday* next after the feast of the exaltation of the holy cross, the xxj. year of the reign of the said late King RICHARD, a parliament was summoned and holden at *Westminster*, and from thence adjourned to *Salop*, at which town a certain power was committed by authority of the parliament to certain persons to proceed upon certain articles and matters comprised in the roll of the parliament thereof made, as by the same roll may appear, in which parliament, and also by authority aforesaid, divers statutes, judgments, ordinances, and establishments were made ordained and given erroneously and

dolesly,

fully, in great disherison and final destruction and undoing any honourable lords and other liege people of the realm, of their heirs for ever: our sovereign lord the King deriding the great mischiefs aforesaid, by the advice and aid of all the lords spiritual and temporal, and of all the council, hath judged the said parliament, holden the said xxi. and the authority thereof given (as afore is said) with all circumstances and dependents thereupon to be of no force or value. And that the same parliament, with the authority said, and all the circumstances and dependents thereupon, wholly reversed, revoked, voided, undone, repealed, and adforever.

CAP. IV.

A confirmation of the parliament holden 11 RICH. 2.

EM accordez est assentuz
establiz qe le parlement
a Westm' lan unzisme
nadgairs Roi RICHARD
armement tenuz & gardez
le purport & effect di-
come chose fait pur tres-
id honore & commune
de tout le roialme.

ITEM, it is accorded, assent-
ed, and established, That
the parliament holden at *West-*
minster, the eleventh year of the
said late King RICHARD, be
firmly holden and kept accord-
ing to the purport of the same,
as a thing made for the great
honour and common profit of
this realm.

The parlia-
ment holden
anno 11 Rich.
confirmed.

CAP. V.

*Restitution of those, or their heirs, which were attainted at
the parliament holden 21 RICH. 2.*

EM, it is ordained and assented, That the lords and other Lords,
which were forejudged in the said parliament, holden the said
and twentieth year, or by authority of the same, which now
live, and the heirs of the lords and other that be dead, shall
holly restitute and restored to their names, all manner of
tenements, and possessions, reversions, fees, advowsons, of-
ferment, liberties, and franchises, as entirely as the said lords and
other which be in life, or the lords and other which be dead,
heirs of the heirs, or the feoffees of the said lords or other
said, or other feoffees to their use, where at the time of the
said parliament give against them, the said xxi. year, by entry, with-
outen suit thereof to be made, or livery to be had of the same:
so always that the said lords or the other aforesaid, shall have
again of the issues taken in the meantime: and as to the goods
and chattels, which were to the said lords, or the other persons
said, so forejudged, whereof the King is not answered and
restituted in the hands of the sheriffs, escheators, or other officers, mi-
nisters, or any other and concealed by them: the King will and
eth, That the same lords and other which now be in life,
the executors and administrators of them that be dead,
shall have thereof livery and restitution: and that the sheriffs,
escheators, officers, and ministers, so occupying the said goods

and chattels by such concealment, be punished for the concealment.

CAP. VI.

In a petition to the King, of lands, offices, &c. the value be contained.

ITEM, to the intent that our said lord the King in time to come shall not be deceived in his grants or gifts annual, or in fee, or in any offices by him to be given, made, or granted, he will, by the assent of the lords spiritual and temporal aforesaid, and at the request of the said commons, be counselled by the wise men of his council in things touching the estate of him and of his realm, saving always his liberty. Also he hath ordained and established by the assent aforesaid, That all they which from henceforth do demand of the King, lands, tenements, rents, offices, annuities, or any other profits, shall make express mention in their petitions of the value of the thing so to be demanded, and also of that which they have had of the King's gift, or of other his progenitors or predecessors before. And in case they make not such mention in their said petitions, and that duly proved, the King's letters patents thereof made shall not be available, nor of any force nor effect, but wholly revoked, repealed, and adnulled for ever; to the punishment of them which so have done deceit to the King, as they that be not worthy to enjoy the effect and benefit of the letters patents to them granted in this behalf.

ITEM au fyn qe nostre seigneur le Roi en temps nir ne soit deceuz en ses grants ou douns annuels ou en fief en acunes offices par lui ou par autres ners faire ou graunter il de lassent des seignurs eccliesielx & temporelx susditz la request des ditz commons estre conseillez par les sages son conseil es choses touchant lestat de lui & de son royaume sauvent toutefoitz la liberte Et voet & ad ordeinez & establez de lassent susdit qe ceux qz desore en avant de demander du Roi terres tenementes offices annuitees ou autres profitz qe conques facez presse mention en leur petition de la valeur de la chose en demandant et auxi de ce qui eue du don de Roi ou de ses pres ses progeniteurs ou de leurs predecessours pardevant. Et qils ne facent tiel menti en leur ditz petitions & ce ment prove soient les lettres patentes du Roi ent faites & vaillables ne de null force ne effect mais de tout revokées & adnullees pur toutz jours au punissement de qens ont fait tiel deceit & come ceux qz ne sont pas dignes denjoier leffect & le benefit des lettres patentes a euxz en celle partie.

8 Co. 37.

Co. Lit. 133. a.

2 H. 4. c. 2.
6 H. 4. c. 2.

CAP. VII.

The penalty for unlawful giving or wearing of liveries. Who may wear the King's liveries, and in what places. Towbat persons only liveries may be given.

ITEM, to eschew maintenance, and to nourish love, peace, Ex edit. Rast. and quietness, of all parts through the realm: it is ordained and established, by the King and his lords spiritual and temporal, and the commons aforesaid in the full parliament; That no lord, of what estate or condition soever he be, shall use nor ordain any livery of sign of company, to no knight, esquire, nor yeoman, within the realm aforesaid: saving always that our sovereign lord the King shall give only his honourable livery to his lords temporal, whom shall please him: saving also that our sovereign lord shall give his honourable livery to his knights, and esquires menial: and also to his knights and esquires, which be of his retinue, and do take of him their yearly fee for term of life. Moreover it is accorded and assented by the King, his lords and commons aforesaid, That the knights & esquires shall not in any wise wear their said liveries in their countries or counties where they be resident or dwelling, nor in none other place within the realm out of the King's presence. And if any lord do the contrary, and that duly proved, he shall make fine and ransom at the King's will. And if any knight or esquire do the contrary, and be thereof duly attainted, he shall lose his said livery, and forfeit his fee for ever. And that no yeoman take nor wear any livery of the King, nor of none other lord upon pain of imprisonment, and to make fine and ransom at the King's will: provided alway That the constable and marshal of England, for the time being, in their retinue of knights and esquires, may wear the said livery of the King, upon the borders and marches of the realm in time of war: provided also, That all they that will travel, and pass over the parts beyond the sea to seek honour, may wear the same livery in those parts, without being thereof any wise grieved or impeached. Moreover it is accorded and assented, That no archbishop, bishop, abbot, nor prior, nor none other man of holy church, or temporal, of what estate or condition he be within the said realm, shall give any livery of cloth to any man, but only to his menial servants and officers, or to them that be of his council, as well spiritual as temporal, learned in the one law or the other, upon pain to make fine and ransom at the King's will. And this statute or ordinance shall begin to hold place, from the feast of Candlemas next to come.

Constable of
England.
Marshal of
England.

2 H. 4. c. 21.
Repealed by
3 Car. 1. c. 4.

CAP. VIII.

Assise maintainable by the disseisee against the King's patentee of lands.

ITEM a la greivance, complaint des ditz communes fait en dit parlement coment plusieurs

ITEM, at the grievous complaint of the said commons, made in the said parliament, how many of
C c 4 the

*the King's liege people, which have been seised and possessed of lands and tenements, by their right and title, until the last coming of our lord the King into England, that upon suggestion made to him; the said lands and tenements have been granted to divers persons, and letters patents thereof made, so that by colour of such grants and letters patents, the tenants and true owners of the said tenements in divers counties be disseised and put out of the same, to their great damage, and against the course of the common law: (2) our lord the King considering the mischiefs aforesaid, and willing thereupon to provide due remedy, by the advice and assent of the lords and commons aforesaid, hath ordained and established, That in case any lands or tenements be granted by the King's patent, without title found by inquest or otherwise, where the King's entry is not given by law, they that be put out or disseised of their freehold, shall have a special assise of the chancellor's grant, without other suit to be made to the King in that behalf: (3) and if the parties or persons having the King's letters patents do pray in aid, a writ of *Procedendo* shall be granted by the said chancellor, without making other suit to the King; (4) and in case that they which be put out, or disseised, do recover against the persons having such patents, they which be so put out or disseised shall recover their treble damages; (5) and that this ordinance and statute hold place as well after the King's arrival into Eng'land, as in all time to come.*

Assise maintainable by the disseisee for those lands which he granted by the King's patent without title first found for the King.

sours des lieges nostre dit seigneur le Roi qont este seifiz & possessionez des terres & tenementz par leur droit & titre tanqal darreine venue nostre dit seigneur le Roi en Engleterre qe par suggestion a lui fait la dit terres & tenementz ont este grauntez as diverses periones & lettres patentes ent faitz il s'unt qe par colour des tieh grauntes & lettres patentz les tenantz & verroies possesseurs des ditz tenementz es plusieurs contes sont disseitez & oustez dicelles a leur graund damage & encontre le cours de la commune ley nostre dit seigneur le Roi consideraunt le meschier susdit & veulant sur ce ordeiner due remede de ladvys & assent des seignurs & communes suiditz ad ordeinz & establiz qe la ou terres ou tenementz sont grauntez par patent du Roi sanz titre trove par enquest ou autre vie & la ou l'entree du Roi nest pas done par la ley aient ceux qi sont oustez ou disseises de leur franc teneiment speciale assise du graunt du chancelier saunz autre poursuite faire au Roi celle partie et si les personnes eiantz les patentes du Roi prient en aide soit graunte brief de *Procedendo* par le dit chancelier saunz autre pursuit faire au Roi & en cas qe les ditz oustez ou disseisez recoverent devers les personnes eiantz tieh patents qe mesmes les oustez ou disseisez recoverent leur damage a treble. Et qe cest ordinance & estatut tiegne lieu si bien puis l'arivall du Roi en Engleterre come en temps avenir.



CAP. IX.

ration to the purchasers of lands sold, which were forfeited to the King.

whereas amongst other statutes and ordinances made Ex edit Rast.
 xi. year of the said late King RICHARD, is was ordained
 established, That the great officers of the said late King,
 vice of all other lords of the council, should have pow-
 parcel of the forfeitures of them that were forejudged in
 ment, holden the said xi. year, by their good discreti- Forfeiture.
 that the gifts and grants to be made upon such sales,
 firm and stable: our said sovereign lord the King, by
 e and assent of his lords spiritual and temporal, and at
 est of the said commons; considering how divers sales
 made by force of the ordinance and statute aforesaid,
 ained and established: That the gifts and grants so
 virtue of the sale aforesaid only, shall stand in their
 virtue, notwithstanding any gifts and grants made to Gifts.
 ary, and that they which will sue to have a confirma-
 their purchase made in this behalf, shall thereof have a
 tion, paying the fines and fees thereof due. 11 R. 2. c. 6.

CAP. X.

shall be accounted treason but what was made treason in the time of King EDWARD the Third.

come in le dit parle- ITEM, whereas in the said par- 25 Ed. 3. stat. 5.
 tenuz le dit an vingt liament holden the said one and c. 2.
 le dit nadgairs Roi twentieth year of the said late
 o plufours peines de King RICHARD, divers pains of
 urent ordeinez par es- treason were ordained by statute,
 nsi qe y navoit aucun in as much that there was no man
 a poie savoit coment which did know how he ought to
 avoir de faire parler behave himself, to do, speak, or say,
 ar doubte des tielx pei- for doubt of such pains; (2) it is
 dez est & assentuz par accorded and assented by the
 les seignurs & com- King, the lords and commons
 mssditz qen null temps aforesaid, That in no time to
 aucune traïson soit ad- come any treason be judged o-
 rement qe ne feut or- therwise, than it was ordained
 r estatut en temps de by the statute in the time of
 aiel le Roi EDWARD his noble grandfather King ED-
 dieu assoille. WARD the Third, whom God
affoil. Nothing shall be adjudged treason but what was so ordained by the statute of 25 Ed. 3.
1 Ed. 6. c. 12.
1 Mar. sess. 1.
c. 1.

CAP. XI.

sheriffs shall be charged with the ancient forms of the county.

come les ditz commu- ITEM, whereas the said com-
 nar lour petition ont mons by their petition have
 en mesme cest parle- shewed in the same parliament, how
 ment les viscontz des the sheriffs of counties within the
 countes realm

Sheriffs shall not be charged with the ancient terms of the counties where part of the profits are given to others.

The punishment of a sheriff for extortion.

realm be charged with the ancient term of the same counties, whereas a great parcel of the profits of the same is given severally to lords and other the King's liege people, so that the same sheriffs cannot pay their term without doing extortion in the said counties, in great oppression and hindrance, as well of the said sheriffs, as of the inhabitants of the said counties: (2) our lord the King considering the mischiefs aforesaid, by the advice and assent of the lords and commons aforesaid, hath ordained and established, That from henceforth the sheriffs of the county of Essex and Hertford in special, and the sheriffs of other counties aforesaid, for the time being, shall accompt in the exchequer, and have allowance by their oath of the issues of the said counties, as well after the date of their patents made to them by the said late King RICHARD, as for all times to come. (3) And if any sheriff from henceforth do any extortion to the people, and be thereof attainted, he shall be duly punished for the same extortion at the King's will.

countes deinz le roia' me soit chargez ove launcien serme des mesmes les countes la ou grande parcelle des profitz dicelles sont donez diversement as seignurs & autres lieges du Roi il sint qe mesmes les visconts ne purront paier lour serme sanz extortion faire es ditz countes en graunt oppression & areusement sibien des ditz visconts come de les enhabitants & mesmes les countes nostre seignur le Roi considerant les mischiefs suisditz de ladvis & assent des seignurs & communes suisditz ad ordinez & establiz qe desore en avant les visconts des countes d'Essex & Hertford' en especiale & les visconts des autres countes suisditz par le temps estantz accomptent a leschequer & aient allowance par lour serment de les issues des ditz countes sibien puis la date de lour patentees a eux faitz par le dit nadgairs Roi RICHARD come pur tout temps avenir. Et si aucun viscont desore en avant face aucun extortion a poeple & de ce soit atteint q'il soit duement punis pur mesme l'extorsion a la volunte du Roi.

CAP. XII.

A confirmation of former statutes touching pulling down of wears.

13 Co. 36.
25 Ed. 3. stat. 5.
c. 4.

ITEM, *whereas by EDWARD, late King of England, grandfather of our lord the King that now is, the five and twentieth year of his reign, because that the common passage of ships and boats in the great rivers of England were oftentimes disturbed by the larrying of wears, mills, stanks, stakes, and kidels, in great damage of the people, it was accorded, That all such wears, mills, stanks, stakes, and kidels, which were le-*
vied

ITEM come seignur EDWARD nadgairs Roi d'Engleterre aiel nostre seignur le Roi qoreft lan de son regnevingt & quint pur ce qe communes passages des niefs & bateux en les graunds rivers d'Engleterre si seurent souventsoitz destourbez par le lever des gors molyns estankes estakes & kideux en grande damage du poeple accordez feut & establiz qe tous tielx gors molyns estankes estakes

takes & kideux qi feurent levez & mys en temps le Roi EDWARD fitz a Roi HENR' & depuis en tieulx rivers par queux les niefs & bateux sont destourbez qils ne poient passer come ils soloient soient oustez & nettement abatuz saunz estre relevez & qe briefs serroient sur ce maundez as viscontz des lieux ou mestier serroit de survei-er & denquere & de faire ent execution & auxint qe justices serroient sur ce assignez a touz les soitz qil bussoigneroit. Et apres a la grevousie plaint des graunts & des communes fait en parlement du dit Roi E. lai-el lan de son regne quarant & quint compleinantz par leur petition qe le dit estatut n'estoit pas duement execut ne gardez selonc l'effect dicelle estoit accordez & establiz qe le dit estatut en ceo point soit tenuz & gardez selonc l'effect dicelle adjoustant a ycelle qe si null tiel anuissance soit abatuz par due processe contenue en le dit estatut celui qi ferra relever la dite anuissance & de ce soit atteint duement ençourge la peine de cent marcz devers le Roy a lever par lestrete en leschequer & autiel loy se teigne danuissance fait par lenhancer de tieux gors molyns estanks estakes & kideux come par novel lever come en les ditz estatutz plus pleinement apiert. Et ore a la request des ditz communes monstrantz par leur petition qe les communes passages des niefs & bateux en les grandes rivers d'Engleterre & auxint prees & pastures & terres semez adjointz as ditz rivers sont grandement destourbez surondez gatz & destruz par les outrageouses enhancer & estreiture des gors molyns estankes estakes & kideux

vied and set up in the time of King EDWARD, son to King HENRY, and after in such rivers, whereby the ships and boats be disturbed, so that they cannot pass as they were wont, shall be wholly pulled down, and not be levied again; (2) and that writs be thereupon sent to the sheriffs of places where need shall be, to survey and inquire, and to make thereof execution; (3) and also that justices be thereupon assigned at all times when need shall require. (4) And after at the grievous complaint of the great men and the commons, made in the parliament of the said King EDWARD the grandfather, the five and fortieth year of his reign, complaining by their petition, that the said statute was not duly executed nor kept after the effect of the same, it was accorded and established, That the said statute in this point be holden and kept after the effect of the same; (5) added to the same, That if any such nuisance be pulled down by due process contained in the said statute, be that will cause the said nuisance to be repaired, and thereof be duly attainted, shall incur the pain of an hundred marks to the King, to be levied by the excheats of the exchequer; (6) and like law to be holden of a nuisance made by the enhancing of such wears, mills, flanks, stakes and kidels, as by new levying, as in the same statutes more fully doth appear. (7) And now, at the request of the said commons, shewing by their petition, that the common passages of ships and boats in the great rivers of England, and also meadows and pastures, and lands sowed adjoining to the said rivers, be greatly disturbed, drowned, wasted, and destroyed by outrageous enhancing and straitening of wears, mills, flanks, stakes, and kidels, in old time made and levied

45 Ed. 3. c. 23

The inconveniencies ensuing by enhancing and straitening of wears, mills, flanks, &c.
10 Co. 138.

besage

A confirmati-
of the statutes
of 25 Ed. 3.
stat. 4. c. 4.
and 45 Ed. 3.
c. 2. touching
the pulling
down or abat-
ing of wears,
mills, &c.

Commissions
shall be award-
ed to certain
justices to sur-
vey wears;
and to redress
offences.

He that hath
the freehold of
the land shall
perform the
justices award
touching the
same.

before the time of the said King EDWARD, son of King HENRY, whereof great damage and loss hath come to the people of the realm, and daily will come, if remedy be not thereof provided: (8) it is accord-

ed and established by the assent aforesaid, That the said statutes be in all their articles holden, and firmly kept, and duly executed, with all the pains, and after the effect of the same. (9) Joined thereto, That commissions be made in due form to sufficient persons to be justices in every county of *England*, where need shall be, to survey and keep the waters and great rivers there, and to correct and amend the defaults, and to make due execution of the said statutes, after the effect of the same, as well by their survey, advice, and discretion, as by inquest thereof to be taken, as well within franchise as without, so often and when need shall be; and to hear and determine the things aforesaid; (10) and moreover to survey the wears, mills, stanks, stakes, and kidels in old times made and levied before the said time of King EDWARD, son of King HENRY; and them that they find too much enhanced or straitened, to correct, pull down, and amend in the manner and form aforesaid, saving always a reasonable substance of wears, mills, stanks, stakes, and kidels aforesaid, so in old times made and levied. (11) And if any such nuisances of wears, mills, stanks, stakes, and kidels, of passages and straitenings in old time made and levied, be judged and awarded by the said justices to be pulled down and amended, he that hath the freehold of the same shall make

thereof

kydeux auncienement failevez devant le temps le Roi E. fitz a Roi HENR' grandes damages & pertont avenuz sovent a poep roialme & aviendrent de en autre si remede ent ne mis accordez est & establi lassent avaunt dit que les dit tatutz soient en touz lour ticles tenuz & fermement dez & duement executz les peines & selonc leffes celles adjoustant a ycelles commissions soient faites en fourme as sufficeantz pers destre justices en chescune te d'Engleterre ou bussoigne ra de surveier & garder eaux & graundz rivers illeo & les defaults corriger & arder & due execution fair les ditz estatutz selonc le dicelles sibien par lour sur avis & discretion come par questes ent aprendre deinz franchises & dehors si & quant il soigne ferra & doier & term les choses suisditz et outre de surveier les gors molyns tankes estakes & kideux anement faitz & levez devalle dit temps du Roi E. fitz Roi H. & ceux qils trover trop enhancez ou estreitez les corriger abater & amender en le manere & forme sui sauvant toute foitz resonable stance des les gors molyns tankes estakes & kideux suissint auncienement faitz & levez. Et si aucuns tielx anances des gors molyns estakes & kideux des passages & estreitures auncienement faitz & levez soient adjuggez ou gardez par les ditz justices treabatez & amendez cellui le franc tenement dicelles fient execution as ses custodes deinz un demy-an apres no

ca

a lui ent affaire sur pei-
cent marcz appaiers au
r estrete en leſchequer &
i les face relever ou en-
ou estreiter encontre le
gement & de ce soit due-
onviſt encourage la peine
t marcz appaiers a Roi par
en leſchequer fuſdite et
qe aſcune ſe ſent eſtre
par execution ou autre
n celle partie encountre
& raiſon purſue & eit
c remede.

thereof execution at his own
coſts, within half a year after
notice to him thereof to be
made, upon pain of an hundred
marks to be paid to the King
by eſtreats of the exchequer;
(12) and he that cauſeth them
to be repaired or enhanced, or
ſtraited, againſt the ſaid judg-
ment, and thereof be duly con-
viſt, ſhall incur the pain of an
hundred marks, to be paid to
the King by eſtreats in the ex-
chequer aforeſaid; (13) and in
caſe that any feeleth himſelf

l by execution or other way in this behalf, againſt right
aſon, he may purſue, and ſhall have right and remedy.

21 R. 2. c. 19.
12 Ed. 4. c. 7.

C A P. XIII.

*iers, controllers, ſearchers, &c. ſhall be removable at
King's pleaſure, and ſhall be reſident upon their offices.*

M come en leſtatut fait
Veſtm' al quinziesme Seint
lan du regne le dit nad-
Roi RICHARD diſ & ſep-
entre autres choſes orde-
it & eſtabliz qe null ſer-
gaugeour des vyne al-
tronour poiſour des laines
cuns autres merchandiſe
our des cuſtumes & ſub-
econques ou contrerollour
it en ſon office a terme
ou des ans ainz qe les
offices demourgent es
du Roi ſouz governance
eſorer pur le temps eſ-
ovec laſſent du conſeil
t y buſoigne et ſi aſcun
es ou lettres patents ſoi-
itz a contrair qils ferroi-
trement voidez & de null
accordez eſt & aſſentuz
lit eſtatut ſoit fermement
& gardez & mis en due
tion adjouſtant a ycelle
cuſtomers & contrerol-
en cheſcune port d'En-
e demourgent ſur lour
en lour propres perſones
aſcun depute ou lieute-
aire en lour nouns.

ITEM, *whereas in the ſtatute
made at Weſtmiſter the
ſeventeenth year of the ſaid late
King RICHARD, it was amongſt
other things ordained and ſtabliſhed,
That no ſearcher, gauger of wines,
aulneger, ſinder*, or weigher of
wools, or any other merchandiſe,
collectors of cuſtoms and ſubſidies,
nor controllers, have eſtate in his
office for term of life or years; but
that the ſame offices remain in
the King's hands under the govern-
ance of the treaſurer for the time
being, with the aſſent of the coun-
cil, when need ſhall be; (2) and
if any charters or letters patents
be made contrary, they ſhall be
voided and of none effect: (3) it
is accorded and aſſented, That
the ſaid ſtatute be firmly hold-
en and kept, and put in due
execution: (4) joined to the
ſame, that cuſtomers and con-
trollers in every port of England
ſhall be reſident upon their
offices in their perſons, with-
out making any proper de-
puty or lieutenant in their
names.*

Dyer, 303.
officers which
ſhall have no
eſtate, but be
removable at
the King's
pleaſure.

Tromour.

Cuſtomers and
controllers
ſhall be reſi-
dent upon
their offices.
17 R. 2. c. 5.
31 H. 6. c. 5.
4 H. 4. c. 20.
1 El. c. 11. ſ. 8.

CAP. XIV.

Where all sorts of appeals shall be tried and determined

3 Inst. 31. 132.
1 Mod. 148.
Rast. Ent. 49.
50.
Hale's history
common law.
49, 50, 51, 52.
Where all sorts
of appeals shall
be tried and
determined.

ITEM, for many great inconveniencies and mischiefs that often have happened by many appeals made within the realm of England before this time: (2) it is ordained and stablished from henceforth, That all the appeals to be made of things done within the realm, shall be tried and determined by the goods laws of the realm, made and used in the time of the King's noble progenitors; and that all the appeals to be made of things done out of the realm, shall be tried and determined before the constable and marshal of England for the time being. (4) And moreover it is accorded and assented, That no appeals be from henceforth made or any wise pursued in parliament in any time to come.

No appeal
shall be pur-
sued in parla-
ment.

ITEM pur plusours gra-
inconveniencies & mes-
qe plusours soitz ont av-
par voie des plusours ap-
faites deinz le roialme d'E-
terre devaunt ces heures o-
nez est & establiz qe desore-
vant toutz les appellees a-
des choses faites deinz le
me soient triez & terminees
les bones leys du roialme
& usez en temps des tres
progenitours nostre dit sei-
le Roi et qe toutz les ap-
affaires des choses faites ho-
roialme soient triez & term-
devant les constable & m-
chall d'Engleterre pur le te-
esteantz. Et outre ceo ac-
dez est & assentuz qe nulle
pelles soient desores fait
pursuee en parlement auc-
ment en null temps avenir

CAP. XV.

The punishment of the mayor, &c. of London, for defaults committed there.

Rast. 4.
28 Ed. 3. c. 10.
4 Inst. 248.
The mayor of
London shall
redress errors,
defaults, and
misprisions,
notoriously
used in the
same city.

ITEM, whereas by a statute made in the time of King EDWARD, grandfather of our lord the King that now is, the seven and twentieth year of his reign, it was ordained and established, That because the errors, defaults, and misprisions, which were notoriously used in the city of London, for default of good governance of the mayor, sheriffs, and aldermen, might not be enquired nor found by people of the same city; (2) that the said mayor, sheriffs, and aldermen, which had the governance of the city, should redress and correct the defaults, errors, and misprisions aforesaid, and the same duly punish from time to time, upon a certain pain; that is to say,

at

ITEM come par estatut
en temps du Roi E.
nostre seigneur le Roi qoreest
de son regne vingt oepthiesme
deinez soit & establiz qe pu-
qe les erreurs defaltes & mis-
prisions qi feurent notoiren-
useez en la citee de Lon-
pur defalte de bone gouve-
ment de mair des viscont
des aldermannes ne purron
treinqueize ne treve par g-
de mesme la citee ordeine
& establie qe les ditz mair
contz & aldermannes qor
gouvernement de la dite cite
cent redresser & corriger les
faltes erreurs & mesprisions
nommez & les duement puni-
temps en temps sur cert

P

ceftaffavoir a premiere de-
mill. marcz a Roi & a le
de default deux mill. marcz
terce default qe la franchise
dite citee soit pris en la
le Roi et soit comence
aere sur eux a la Seint
el prochein avenir issint
ne facent dues redresse-
z come desusest dit soit en-
le leur default par enques-
tes gentz des foreines con-
cestaffavoir Kent Essex Sus-
sex Buk' & Berk' sibien
suite de Roi come dautres
indire se voudront. Et si
air viscontz & aldermannes
par tieux enquestes endi-
oient faitz venir par due
s devant les justices le Roi
ront a ce assignez dehors
e citee devant queux ils
lour repons sibien a Roi
a la partie et fils se mettent
enquestes soient celles en-
tez prises par gentz forains
desuis est dit et ils soient
itz soit la dite peine incur-
ve des ditz mair viscontz &
nannes pur default de leur
nement et nientmeins les
tifs recoverent leur dama-
treble vers les ditz mair
atz & aldermannes. Et
cause qe les viscontz de
res sont parties a cest bu-
e soit le constable de le
ou son lieutenant ministre
eu des viscontz a receiver
riefs sibien originals de la
cellarie come judicialx
les sealx des justices a faire
execution en la dite citee.
it proces fait par attache-
z & par destressies & par ex-
si mestier y soit issint qal
e Roi soit lexicend agarde
le primer capias retourne
a tierce capias retourne al
de partie. Et si les mair
atz & aldermannes eient
terres

*at the first default a thousand marks,
to the King, and at the second de-
fault two thousand marks, and at
the third default, that the franchise
be taken into the King's hand: (3)
and be it begun to inquire of them
at the feast of Saint Michael next
ensuing: so that if they make not
due redress, as before is said, it
shall be inquired of their defaults
by inquest of foreign counties, that
is to say, Kent, Essex, Sussex,
Hertford, Buckingham, and
Berks, as well at the King's suit,
as of others that will complain.
(4) and if the mayor, sheriffs,
and aldermen, be by such inquest
indicted, they shall be caused to
come by due process before the jus-
tices, which shall be thereto assign-
ed out of the city, before whom
they shall have their answer, as
well at the suit of the King as of
the party; (5) and if they put
themselves in inquests, the same in-
quests shall be taken of foreign peo-
ple, as afore is said; (6) and if
they be attainted, the said paines
incurred shall be levied of the said
mayor, sheriffs, and aldermen, for
default of their government; (7)
and nevertheless the plaintiff's shall
recover their treble damages against
the said mayor, sheriffs, and alder-
men. (8) And because the sheriffs
of London be party to this busi-
ness, the constable of the Tower,
or his lieutenant shall be officer,
instead of the sheriffs, to receive
the writs, as well originals of the
chancery, as judicials under the seals
of the justices, to do thereof execu-
tion in the said city; (9) and pro-
cess shall be made by attachments,
distress, and exigent, if need be,
so that at the King's suit the ex-
igent shall be awarded after the
first Capias returned, and at the
third Capias returned at the suit
of the party. (10) And if the
mayor, sheriffs, and aldermen have
lands*

The constable
or lieutenant
of the Tower
shall receive
and execute
the King's
writs.

lands and tenements out of the said city, process shall be made against them by attachment and distress in the same counties where the lands and tenements be; and that every of the said mayor, sheriffs, and aldermen, which cometh before the said justices, shall answer alone for himself, as well at the peril of other which be absent, as of himself; (11) and that this ordinance be holden firm and stable, notwithstanding any manner of franchises, privileges, or customs; (12) and that this ordinance shall extend to other cities and boroughs of the realm, where such defaults or misprisions be used, and not duly corrected nor redressed, saving that the inquests be taken by foreign people of the same county where such cities and boroughs be; (13) and that the penalty of them of such cities, boroughs, and towns which shall be thereof attainted, be judged by the discretion of the justices, which shall be thereto assigned. (14) Our lord the King considering the good and lawful behaviour of the mayor, sheriffs, and aldermen, and of all the commonalty of the same city of London towards him, and therefore willing to ease and mitigate the penalty aforesaid, by the assent of the lords spiritual and temporal, and of the commons aforesaid, hath ordained and established, That the penalty aforesaid, as well of the thousand marks, as of the two thousand marks, and of the seisure of the franchise, comprised in the said statute, shall not be limited in a certainty, but that the penalty in this case be by the advice and discretion of the justices thereto assigned, as other cities and boroughs

terres & tenementz de la dite cite soit processe fait d'eux par attachementz & stresses es mesmes les counties ou les terres & tenementz. Et que chescun des ditz viscontz & aldermannes endra devant les ditz justices poigne singulièrement pour mesmes sibi en peril des: qui sont absentez come d'eux mesmes & cest ordinance tenuz ferme & estable contresteantz franchises, leges ou custumes qecont: qe cest ordinance se extende a autres citees & burghs d'alme ou tieux defaultz ou prisions sont useez & duement corrigez & redressez qe les enquestes prises par gentz de mesme contee ou tieux citees soient qe la peine de ceux de burghs & villes qui de ce se atteintz soit adjudge par la discretion des justices qui ce se assignez. Nostre dit seigneur Roi considerant le bone & port de les mair viscontz, aldermannes & de tout la municipalte de mesme la cite de Londres devers mesme seigneur le Roi & par tant veulant faire ease & mitiguer de les peines avantditz des seignurs espirituelz & de les commons avantditz ad ordeinez & blicz qe les peines sibi en mille marcs come de les de marcs & del seisine del franchise compris el dit estatut ne soient limitez en certeine maniere la peine en ce cas soit par la discretion des justices assigners come autres citees & burghs sont deinz le roialme qe le remanant de mesme

The penalties inflicted by the statute of 28 Ed. 3. c. 10. upon the mayor of London, shall be according to the discretion of the justices.

& le proces dicell estoient
ur forcé.
boroughs be within the realm,
and that the remnant of the
same statute, and the proces
thereof, stand in their force.

C A P. XVI.

*Merchants of London shall be as free to pack their cloths as
other merchants.*

EM accordez est & assen-
tiz qe les merchantz de
res desore enavant soient
frank de packer lour draps
itz de mesme la packeur
sont les autres merchantz
autres estrangers deinz la
citee ou deinz autres citees
ghs deinz le roialme & si
s lettres patentz soient
a contrair qils soient tou-
ement repellez & adnullez
uz de null force & vertue.

ITEM, it is accorded and as-
sented, That the merchants
of London from henceforth shall
be as free to pack their cloths,
and quit of the same packing,
as the other merchants, or
other strangers within the same
city, or within other cities and
boroughs within the realm be;
(2) and if any letters patents
be made to the contrary, they
shall be utterly repealed, adnulled,
and holden of no force nor
virtue:

Merchants of
London shall
be as free to
pack their
cloths as other
merchants.

C A P. XVII.

*Strangers may buy and sell within the realm victuals in gross
or by retail.*

EM come en lestatut fait a
Westm' lan sisme le dit
sirs Roi RICHARD entres
choses soit ordeinez &
dez qe chescun foreine &
esteant del amiste de Roi
roialme & venant deinz
de Londres & autres ci-
burghs & villes deinz le
re sibien deinz franchise
dehors avec pesson & au-
ritailles qeconques illoeges
rantz & retournantz ser-
lors desouz la sauve garde
eciale protection de Roi
bien life a eux & a ches-
le eux qils puissent tren-
pesson & vitailles suisditz
ieces & a taill & a retaill
rie & en tout ou en groos
meuz lour semblera ven-
lour profit ent faire sanz
chement ou contredit de
non obstantz aucuns es-
L. II. tatutz

ITEM, Whereas in the statute
made at Westminster in the
sixth year of the said late King
RICHARD, amongst other things it
is ordained and accorded, That e-
very foreigner and alien being of
the King's amity and of the realm;
and coming within the city of
London, and other cities, boroughs,
and towns within the said realm;
as well within franchises as with-
out, with fish and all manner other
victuals, there dwelling and re-
turning, shall be from henceforth
under the safeguard and special
protection of the King; (2) and
that it shall be lawful to them, and
every of them, to cut their fish and
victuals aforesaid by pieces, and
the same to tail and resail in part,
or in all, or in gross, as to them
shall best seem to sell, and thereof
to make their profit, without im-
peachment or contradiction of any;
D d notwithstanding

A confirmation
of the sta-
tute of 6 R. 2.
c. 10. authori-
sing mer-
chants strang-
ers to buy and
sell within the
realm.

notwithstanding any statutes, charters, ordinances, privileges, or customs made or had to the contrary:

(3) Our lord the King considering the same statute to be very profitable many ways, if it were put in execution, by the assent of the lords and commons aforesaid, hath ordained and established, That the said statute be firmly holden, kept, and duly executed after the form and effect thereof, notwithstanding the letters patents late granted to the contrary to the *Fishmongers of London* by the said late King RICHARD, upon his last voyage toward *Ireland*.



6 R. 2. c. 10.
14 H. 6. c. 6.
3 Jac. 1. c. 6.

tatutz chartres ordinances privileges ou custumes faitz ou euez au contrair. Nostre dit seignur le Roi considerant mesmes lestatut estre moolt profitable par plusieurs voies sil feusse mys en execution de lassent des seignurs & communes suidditz ad ordeinez & establiez qe le dit estatut soit fermement tenuz & gardez & duement execut selonc la forme & effect dicell nient contrestantz les lettres patentz nadgairs grauntez au contrair as peffoners de Londres par le dit nadgairs Roy RICHARD sur son dareyn passage vers Irland.

CAP. XVIII.

Process against one of the county of Chester, which committeth an offence in another shire.

What process shall be awarded where one of the county of Chester doth commit felony in another county.

ITEM, upon the grievous clamour and complaint made to our lord the King in this present parliament, of many murders, manslaughter, robberies, batteries, and other riots and offences, which before this time have been done by people of the county of Chester to divers of the King's liege people in divers parts and counties of England; (2) the same our lord the King, by the advice and assent of his lords spiritual and temporal, and of his commons aforesaid, hath ordained and established, That if any person of the county of *Chester*, resident or dwelling within the same county, of what estate or condition he be, do commit any murder or felony in any place out of the same county, process shall be made against him by the common law, till the exigent, in the county where such murder or felony was done. (3) And if he flee from thence into the county of *Chester*,

ITEM sur les grevous clamour & compleinte faitz a nostre dit seignur le Roi en cest present parlement des plusieurs murders homicides robberies bateries & autres riotes & meffaites qe devant ces heures ont este faitz par les gentz del contee de Cestre as plusieurs lieges de Roi es diverses contees d'Engleterre mesme nostre seignur le Roi de ladvis & assent des seignurs es spirituelx & temporelx & des communes avaunditz ad ordeinez & establiez qe si aucun persone del contee de Cestre recant & demurrant deins mesme le contee de quel estat ou condition qil soit face murder ou felonie par aillours hors de dit contee soit proces fait devers luy par la commune ley tanqal exigend en les contes ou tieux murder ou felonie soit fait. Et sil fue dilloeges en le dit conte de Cestre & soit allage ou mys en exigend par tel murder ou felonie soit la

ou lexicend certifiez a
officers & ministres de mes-
e conte de Cestre & soit
felon pris par mesmes les
ers ou ministres et ses ter-
t tenementz biens et cha-
esteantz deinz ycell conte
estre seisez come forfaitz
ains du prince ou de celluy
ra seigneur de dit conte de
e pur le temps et ait le
lan jour et wast et les au-
terres et tenementz biens
ateaux de tiel felon esteantz
de mesme contee de Cestre
ergerent entierment au Roi
autres seignurs eiantz ent
hises come forfaitz. Et si
n persone de mesme le con-
e Cestre receant ou demur-
en ycell face aucune ba-
ou autre trespas par ail-
hors de dit contee de Cest-
oit proces fait devers lui
a commune ley tanqal ex-
les contees ou tiel baterie
respas soit fait et sil fue
ques en le dit contee de
e et soit utlagez pur tiel
ie ou trespas soit lutlagair
iez a les ditz officers et
sters de mesme le contee
estre et soit cell persone
par mesmes les officers ou
stres et ses biens et chate-
esteantz deinz le dit contee
estre soient seisez es mains
rince ou de cellui qi serra
ur de dit contee de Cestre
le temps et ses autres biens
ateaux esteantz hors de
ne le contee de Cestre de-
rgent entierment a Roi et
stres seignurs suisditz come
itz en manere come des-
fit dit.

and be outlawed and put in
exigent for such murder or fe-
lony, the same outlawry or exi-
gent shall be certified to the
officers and ministers of the
same county of *Chester*, and the
same felon shall be taken by
the same officers or ministers,
and his lands and tenements,
goods and chattels, being with-
in the same county of *Chester*,
shall be seized as forfeit into the
hands of the prince, or of him
that shall be lord of the same
county of *Chester* for the time,
and the King shall have the
year and day, and the waste;
(4) and the other lands and
tenements, goods and chattels,
of such felon, being out of the
said county of *Chester*, shall re-
main wholly to the King, and
to other lords, having thereof
franchise, as forfeit. (5) And
if any person of the same coun-
ty of *Chester*, resident or dwell-
ing in the same, make a battery
or other trespass in any place
out of the said county of *Chester*,
process shall be made against
him by the common law, till
the exigent, in the counties
where such battery or trespass
is done. (6) And if he flee
from thence into the said coun-
ty of *Chester*, and be outlawed
for such battery or trespass, the
outlawry shall be certified to
the officers and ministers of the
said county of *Chester*, and the
same person shall be taken by
the same officers or ministers;
(7) and his goods and chattels,
being within the same county
of *Chester*, shall be seized into
the hands of the prince, or of
him which shall be lord of the

The process where one of the county of Chester doth make a bat-tery or other trespass in any other county.

county of *Chester* for the time; (8) and his other goods and
tels, being out of the said county of *Chester*, shall remain
lly to the King, and to other lords afore said, as forfeit, in
sort as afore is said.

CAP. XIX.

During three years, for no cloth whereof the dozen exceedeth not 13s. 4d. any subsidy shall be paid, or shall be sealed.

Ex edit. Rast.

Cloth.

9 H. 4. c. 2.

7 Jac. 1. c. 16.

ITEM, in ease and relief of the poor common people of the realm, our said sovereign lord the King by the advice and assent afore said, hath ordained and established, That from the feast of Saint *Michael* last past, during three years then next following, no cloth of kersey, *Kendal* cloth, frise of *Coventry*, *Cogware*, nor none other cloth streit, nor remnant of *England*, nor cloth of *Wales*, whereof the dozen exceed not the value of *xiii.s.* *iiii.d.* be in any wise sealed of no seal, little nor great, nor no subsidy payed of the said cloths during the time afore said.

CAP. XX.

The King's pardon of treason, felony, outlawry, &c. to all them that will pursue their charters before the feast of All Saints, with some exceptions.

Ex edit. Rast.

Pardon.

ITEM, at the instance and prayer of the said commons, by their petition made in this present parliament: our said sovereign lord the King of his special grace hath released and pardoned generally to all his liege people of *England*, the suit of his peace that to him pertaineth for all manner of treasons and felonies, by them done or committed before the *xix. day of November*, the first year of his reign, except murder and rape of women, whereof they be indicted, arraigned or appealed: and also the outlawries, if any in them be pronounced by the same occasion. And hath granted to them thereof his firm peace, so that none of his said liege people be a common thief, before the said *xix. day* ended, nor that he be no pronour, nor appealed of the death of any man at the suit of the party, nor taken with the manour, nor that he hath broken the King's prison before the said *xix. day*, nor that he hath not been at the murder of *Thomas*, late duke of *Gloucester*, uncle to our sovereign lord the King, and so that he stand to right in the King's court, if any will speak against him of the things afore said, or of any of them: so that always all they that will enjoy the benefit of this pardon, shall pursue their charters in special betwixt this and feast of All-Saints next following.

Statutes made at *Westminster*, Anno 2 HEN. IV.
and Anno Dom. 1400.

AT the parliament holden at Westminster in the Utas of St. Hillary, the second year of the reign of King HENRY the Fourth, the same our lord the King,

AU parlement tenuz a Westm' en les octaves de Saint Hiller lan du regne le Roy HENRY le Quart puis le conquest second mesme nostre seigneur

le Roy del assent des ducs-contents & barons & specialx instance & requestes communes assemblez present parlement ad fait & establir certains & ordinances en la quenseut.

King, by the assent of the prelates, dukes, earls, and barons, and at the special instance and request of the commons assembled at this present parliament, hath caused to be ordained and stablished certain statutes and ordinances in form following.

CAP. I.

Confirmation of liberties. Each person may pursue the law, or defend it.

verement qe seinte es- se eit ses droitures & s & qe touz les seignurs elx & temporelx & toutz es burghs & villes en- se eient & enjoient toutz libertees & franchises ils ont duement usez ueux ils ont du grante nobles progenitours & assours Roys dEngleterre a Grande Chartre & la de la Foreste & touz res bons ordinances & faitz en son temps & ps de ses nobles proge- nient repellez soient tenuz & gardez en pointz & qe toutz ses & subgitz purront fran- chit & pesiblement & en sauf protection du luy venir a ses courtes a les loyes ou les defen- z destourbance ou im- pnt de nully & qe pleine & droit soient faitz libien eres come as riches en rtes avauntedites.

FIRST, That holy church have her rights and liber- ties; (2) and that all the lords spiritual and temporal, and all the cities, boroughs, and towns enfranchised, have and enjoy all their liberties and franchises, which they have lawfully used, and which they have of the grant of his noble progenitors and predecessors Kings of Eng- land; (3) and that the Great Charter, and the Charter of the Forest, and all other good ordinances and statutes made in his time, and in the time of his noble progenitors, not re- pealed, be firmly holden and kept in all points: (4) and that all his liege people and subjects may freely and peace- ably in his sure and quiet pro- tection go and come to his courts, to pursue the laws, or defend the same, without dis- turbance or impediment of any; (5) and that full justice and right be done, as well to the poor as to the rich, in his courts afore said.

The rights of the church, and of all other persons, cities and bo- roughs con- firmed, and all laws in force ratified.

Every person shall be in peace, and justice shall be done.

1 H. 4. c. 1.
7 H. 4. c. 1.

CAP. II.

Provision of part of the statute of 1 HEN. IV. c. 6. touching the mentioning of other gifts which a petitioner received of the King or his predecessors.

M, whereas in the last parliament of our sovereign lord King that now is, amongst other things it was ordained. blished, That all they which from henceforth shall de-

Ex edit. Rast.

Petition.

Letters patents.

mand of the King, lands, tenements, rents, or fees, annuities, or any other profits, should make expresse mention in their petitions of the value of the thing so to be demanded, and also of that that they have had of the gift of the King, or of any of his progenitors or predecessors before: and in case they did not make such mention in their said petitions, and that duly proved, the King's letters patents should not be available to them, nor of no force nor effect, but wholly revoked, repealed, and annulled for ever, to the punishment of them which had done such deceit to the King, as they that be not worthy to enjoy the effect and benefit of the letters patents to them granted in this behalf: Our said sovereign lord the King considering, That a great part of the said statute is very hard for his liege people, and for so much willing thereof to provide remedy, of his own will, and certain knowledge hath granted to do grace and pardon to those that will pursue, of as much as they have mistaken themselves in their suit against the form of the said statute. And moreover the same our sovereign lord the King, to exclude all ambiguities in this behalf, because that the same statute is very obscure, and hath need of declaration, specially for ease and quietness of his people, will and granteth, That all they which from henceforth do sue to the same our sovereign lord the King, to have of him any grace or yearly gift, or in fee or otherwise, shall make expresse mention in their petition, of how much they have had of the gift and grant of the noble King *Edward*, grandfather to our sovereign lord the King, or of *Richard* late King, or of *Edward* late prince of *Wales*, or of *John* late duke of *Lancaster*, father of our sovereign lord the King, or of the King himself, and of none other progenitor or predecessor of the same our sovereign lord. And he that maketh not such mention in his petition, his letters patents made to him at the same time by our sovereign lord the King, shall be of no force nor effect. And moreover as to the words that is to say, (*other profits*) comprised in the said statute, our sovereign lord the King hath declared and granted, That of no profits, gifts, goods or chattels, or any other things granted or given by the same our sovereign lord the King to any, to the value of C. li. or within, except wards and marriages, of which the King will that he, which so shall sue to him, shall make expresse mention in his petition of the value of the same: none shall incur the pain comprised in the said statute. And it is not the King's mind, That for any confirmation or licence made to any by our said sovereign lord the King, of any liberties, franchises, annuities, or any other things granted by any of his progenitors or predecessors or other person, and not specified in any petition, so to be demanded otherwise than above is declared, none shall incur the pain of the said statute. And as to the other articles comprised in the same statute, our said sovereign lord will that they be firmly holden and kept and put in due execution.

CAP. III.

do accept a provision granted by the pope to a religious on to be exempt from obedience, he shall be within the ger of the statute of provisors.

M ordeignez est & esta-
que si aucune provision
par nostre seint Pier le
aucune persone de re-
ou a autre persone quel-
destre exempte do be-
regulere ou dobedience
re ou davoire aucune o-
perpetuel deinz maisons
gion ou atant come une
e persone religieuse ou
u plusours ont en ycelles
els proviseurs desore en-
acceptent ou enjoient
tiele provision qils en-
ent les peynes comprizez
statut des proviseurs fait
sisme le Roy RICHARD

ITEM, it is ordained and
stablished, That if any pro-
vision be made by the bishop
of Rome to any person of reli-
gion, or to any other person,
to be exempt of obedience reg-
ular, or of obedience ordi-
nary, or to have any office
perpetual within houses of reli-
gion, or as much as one regu-
lar person of religion, or two
or more, have in the same;
that if such provisors from
henceforth do accept or enjoy
any such provision, they shall
incur the pains comprized in
the statute of provisors, made
in the xiii. year of King Ri-
CHARD the Second.

12 R. 2. stat. 3.
c. 3.
13 El. c. 2.

CAP. IV.

*penalties for purchasing of bulls to be discharged of
tithes.*

M por ce que nostre seig-
le Roy sur grevoule
int a luy fait en cest
ent ad entenduz que les
ses hommes de lordre
eux del roialme dEngle-
ont purchacez certaines
destre quitz & deschar-
e leur dismes paier de
res tenementz & posses-
siez a ferme ou cultivez
piez par autres persones
eux mesmes en grant
ce & derogation de la
de seinte esglise & des
s lieges du roialme no-
gnur le Roi veullant sur
voir de remede de ladvis
it des toutz les seignurs
ielx & temporelx & al
e & request des ditz
ans ad ordeignez & esta-
bliz

ITEM, for as much as our
lord the King, upon grievous
complaint to him made in this par-
liament, hath perceived, That the
religious men of the order of Ci-
steaux in the realm of England,
have purchased certain bulls to be
quit and discharged to pay the
tithes of their lands, tenements,
and possessions let to ferm, or ma-
nured, or occupied by other persons
than by themselves, in great pre-
judice and derogation of the liberty
of holy church, and of many liege
people of the realm; (2) our lord
the King willing thereupon to
ordain remedy, by the advice
and assent of the lords spiritual
and temporal, and at the in-
stance and request of the said
commons, hath ordained and
stablished, That the religious

Religious per-
sons purcha-
sing bulls to
be discharged
of tithe shall
incur the dan-
ger of Premu-
nure.

persons of the order of *Cisteaux* shall stand in the estate that they were before the time of such bulls purchased; (3) and that as well they of the said order, as all other religious and seculars, of what estate or condition they be, which do put the said bulls in execution, or from henceforth do purchase other such bulls of new, or by colour of the same bulls purchased, or to be purchased, do take advantage in any manner, that process shall be made against them and every of them by writ of *Premunire facias*; (4) and if they make default, or be attainted, then they shall incur the pains and forfeitures contained in the statute of provisors, made the thirteenth year of the said King RICHARD.

33 R. 2. stat. 2.
c. 5.

33 El. c. 2.

bliz qe les religieuses de l de Cisteux estoient en qils feurent devant le t des tielx bulles purchacez qe sibien ceux du dit come toutz autres religi & seculers de quel estat ou dition qils soient q m les dites bulles en exec ou desore enavant purch autres tielx bulles de nov par colour de mesmes les les purchacez ou a purch preignent avantage en a manere qe proces soit fa vers eux & chescun de eu garnisement de deux moy brief de *Premunire facias* sils facent default ou soient teintz qils encourgent les p & forfaitures comprises e statut des proviseurs fait xiiieme. le Roy RICHARD dit.

CAP. V.

He that carrieth gold or silver out of the realm shall be so much.

3 R. 2. stat. 2.
c. 2.

ITEM, *whereas in the statute made at Westminster in the fifth year of the said King RICHARD, amongst other things it is contained, how it was assented, accorded, and enjoined by the said late King to all manner of people, merchants, clerks, and others, as well strangers as denizens, of whatsoever estate or condition they should be, upon pain of as much as they might forfeit, that none of them, upon the said pain, privily nor openly should send or carry, nor cause to be sent or carried, out of the said realm of England, any gold or silver in money, bullion, plate, vessel, nor by exchange to be made, except the wages of Calais, and other the King's fortresses beyond the sea, saving certain prelates, lords, and others*

2 Inf. 741.

ITEM come en lestatu a Westm' lan quint l Roi RICHARD entre a choses soit contenuz co assentuz estoit accordez & senduz depar le dit na Roy as toutz maneres des marchantz clerks & autr bien estranges come deinde quelconque estat ou c tion qils ferroient sur pe quant qils purroient forsa nully de eux sur la dite en privee nen appert envo namesneroit ou ferroit e ou amesner hors du ro dEngleterre aucun or o gent en monoie bollion yessell ne par eschange : exceptz les gages de Calais des autres fortresses de depar dela & exceptz par

com-

clatz feignurs & autres
les en mesme lestatut
ce primerement espe-
ngie & licence du Roy
par ycel estatut y purra
einement apparoir no-
gnur le Roy pur obvier
utilite de ceux qi vorront
aude ou deceit au luy
urtie ad ordeignez & e-
que si desore enavant au-
cheour du Roy purra
or ou argent en coyne
masse en la garde d'au-
il soit en passant ou sur
lage en aucune nief ou
pur aler hors daucun
avene ou crike du roi-
unz especiale congee du
ut cel or ou argent soit
au Roy forspris ses re-
s despenfes queux il
nuz de confesser & des-
maintenant apres qe a
il soit garniz & chargez
sme le sercheour ou au-
t tout celle monoie ensi
e soit forsaite au Roy
toutes voies qe les mar-
estrangez qi vendent
archandises deinz le roi-
e la moite du monoie
terre receu pur mesmes
chandises emploient sur
narchandises du roialme
t franchement apporter
icell lautre moite de la
moie par conge du Roy
lestatut ent fait.

*comprized in the same statute,
without special leave, and licence
thereupon first had, as by the same
statute may more fully appear :*

(2) our lord the King, for to
prevent the subtilty of them
that will do fraud or deceit to
him in this behalf, hath or-
dained and stablished, That if
from henceforth any searcher
of the King may find gold or
silver in coin, or in mas, in
the keeping of any that is pas-
sing, or upon his passage, in
any ship or vessel to go out of
any port, haven, or creek of
the realm, without the King's
special licence, all that gold or
silver shall be forfeit to the
King, (3) saving his reasona-
ble expences, which he shall
be bound to confess and disco-
ver presently after that he is
warned and charged so to do
by the same searcher, or else
all the said money so conceal-
ed shall be forfeit to the King.
(4) Provided always, That the
merchants strangers that do sell
their merchandise within the
realm of *England*, and the one
half of the money of *England*
received for the same merchan-
dises do imploy upon other
merchandises of the realm,
may freely carry out from the
same the other half of the said
money by the King's licence,
according to the statute thereof
made.

He that cari-
eth gold or
silver out of
the realm shall
confess the
same to the
searcher.

Merchants
strangers may
carry half
their money
forth of the
realm.

4 H. 4. c. 15.
27 H. 6. c. 3.
17 Ed. 4. c. 1.

19 H. 7. c. 5.

CAP. VI.

*Money of Scotland, and of other countries beyond the sea,
be voided out of England, or put to coin before
istmas.*

1. for the great deceit that is in the money of gold and
er of *Flanders* and *Scotland*, that doth commonly run in
its made in divers parts of the realm, to the great da-
of the King and of his people : it is ordained and stablish-
at all the money of gold and silver of the coin of *Flan-*

Ex edit. Raft.
Money of
gold and silver
of *Flanders*
and *Scotland*,
&c.

ders,

11 H. 4. c. 5.
13 H. 4. c. 6.
2 H. 6. c. 6.
Repealed
21 Jac. 1. c. 28.

ders, and of all other lands and countries beyond the sea, and also of the land of Scotland, shall be voided out of the realm of England, or put to coin to the bullion within the same realm, betwixt this and the feast of Christmas next ensuing, upon pain of forfeiture of the same. And that all the merchants and other at Calais, which do receive any such gold or silver of the coin of Flanders, or of other lands and countries beyond the sea, or of the land of Scotland, shall put the same to bullion at Calais, without bringing it in coin within the realm of England, and if the merchants, or any other from henceforth bring any such money within the realm of England, they shall forfeit the same money to the King. And moreover it is accorded, That a good and convenient search be made as well at Calais as on this side the sea in every port and other place upon the bringing of the money aforesaid,

CAP. VII.

In what case the plaintiff shall not be nonsuit if the verdict pass against him.

Br. Nonsuit, 6.
Fitz. Nonsuit,
6, 12, 13, 15.
2 Inst. 139. b.

In what case
if the verdict
pass against
the plaintiff
he shall not
be nonsuit.

ITEM, whereas upon verdict found before any justice in assise of Novel disseisin, Mortdauncester, or any other action whatsoever, the parties before this time have been adjourned upon difficulty in law upon the matter so found; (2) it is ordained and established, That if the verdict pass against the plaintiff, that the same plaintiff shall not be nonsuited.

ITEM por ce que sur veredit I trove devant quelconque justice en assise de novel disseisine mort dauncestre ou autre action quelconque les parties devaunt ces heures ont este adjournez sur difficulte en loye sur la matire issint trovez ordeignez est & establiz qe sile dit veredit passe encontre le pleintif qe mesme le pleintif ne soit nonsuy.

CAP. VIII.

The fee of the cyrographer of the common pleas for a fine levied.

ITEM, upon the grievous complaint made to our lord the King by the commons in this present parliament, how that the office of the cyrographer in the common bench of the King is let to farm, to which office appertaineth, for making and writing of every fine levied in the said bench, four shillings and no more; and notwithstanding the same fee, the farmers of the same office will deliver no fine to any without giving to them other four shillings, or more by extortion, to the great damage and impoverishment of all

ITEM sur la grevouise complainte faite a nostre seigneur le Roy par les communes en cest parlement coment loffice de cirografer en le commune bank le Roi est leseez a ferme a quel office appartient pur les sesance & escripture de chescun fyn leve en le dit bank quatre souldz & nient plus & notwithstanding cel fee les fermers de mesme loffice ne veuillent deliverer nul fyn a nully sanz leur doner autres quatre souldz ou plus par extortion a grant damage & empoverissement de

the

toz

e poeple nostre seigneur le
veullant celle partie pur-
le remede de ladyis & as-
les seignurs espirituelx &
orelx & a la supplication
itz communes ad ordeig-
establiz qe le cirografer
on fermer lieutenant ou
ee pur le temps esteant
enavant ne preigne plus
autre souldz pur nul fyn
en la court. Et si le dit
r lieutenant ou depute
ne plus qe quatre souldz
n fyn come deffuis est dit
rde son office & soit for-
ze la court & eit emprison-
ment par un an & paie a
rtie greve ses trebles da-
s & ait la partie grevee sa
devant les justices du dit

the King's liege people; (2) our
lord the King willing in this
behalf to provide remedy, by
the advice and assent of the
lords spiritual and temporal,
and at the supplication of the
said commons, hath ordained
and established, That the cyro-
grapher, nor his farmer, de-
puty, or lieutenant for the time
being, shall from henceforth
take any more than four shil-
lings for any fine levied in the
court. (3) And if the said
farmer, lieutenant, or deputy,
take any more than four shil-
lings for a fine, as before is said,
he shall lose his office, and be
forejudged the court, and have
one year's imprisonment, and
pay to the party grieved his
treble damages; (4) and the
party grieved shall have his
suit before the justices of the
said bench.

The fee of the
cyrograph-
er of the com-
mon pleas.

The penalty if
the cyrogra-
pher takes
more than his
fee.

13 Ed. 1. Stat. 2.
C. 44.

C A P. IX.

*as were commissioners in the time of King RICH. II.
d spoiled thereof, or that delivered the same, shall be
charged by their oaths.*

EM, whereas late in the time of King Richard divers per-
sons were assigned at divers times by commissions of the
King Richard, to inquire, and to do after purport of their
mission within the realm of *England*, and now process is
as well in the chancery as in the exchequer against the
commissioners, to certify the inquisitions and other things
e them taken by vertue of the said commissions, whereas
of the said commissioners in the pursuit of the said King
rd were rifled and pilld of the said inquisitions and other
s before them taken by force of their said commissions
also of their proper goods) and some of the said commis-
rs by the commandment of Sir *William le Scrope*, sometime
rer of *England*, did deliver all their inquisitions and other
s so taken before them to the said treasurer, so that the
ommissioners have nothing in their custody to certify to the
courts. Whereupon our sovereign lord the King, consider-
he mischiefs aforesaid, and by so much willing to do grace
ch commissioners: by the advice and assent of the lords
ual and temporal, and at the prayer of the said commons,
ordained and established, That none of the said commis-
rs so rifled or pilld, nor none that delivered their inqui-
sitions

Ex edit. Rast.
Commissions.

sitions and other things taken before them, to the said lat-
surer, shall in no wise be charged to make thereof any ce-
tion in any court of the King, but shall be thereof by
oath clearly discharged.

CAP. X.

*The fee of the clerk of the crown of the King's bench
indictments.*

4 Inst. 74.

The clerk of
the crown of
the King's
bench shall
take no more
for indict-
ments than
hath been
used.

ITEM, because that complaint
is made to our said lord the
King by the said commons, how
the clerk of the crown of the
King's bench, whereas fourscore
or an hundred men be indicted of
one felony, or of one trespass, and
all they plead to an issue as Not
guilty, the said clerk ought not to
take for the Venire facias, nor
for entering of the plea, more than
ii s. the said clerk doth take for
every such name by extortion ii s.
in great oppression of the people ;
(2) our said lord the King,
willing to preserve his said peo-
ple from such extorsions and
injuries, by the assent of the
said lords spiritual and tempo-
ral, and at the suit of the said
commons, hath ordained and
established, That the said clerk
of the crown shall take no
more than hath been duly used
of old times. (3) And more-
over our said lord the King
hath charged the justices of the
King's bench, that no extor-
sion be done in this behalf in
the bench aforesaid.

ITEM por ce qe plei
faite a nostre dit seig
Roy par les ditz com-
comment le clerck del cor-
bank du Roy la ou vin-
rant ou cent hommes so-
ditez dune felonie ou
trespas & toutz ceux ple-
issue come de rien coup-
dit clerck ne deust prendi-
le Venire facias ne pur l-
du plee pluis qe deux
mesme le clerck prent pur
cun tiel noun par extor-
sion du poeple nostre d-
gnur le Roy veillant
son dit poeple des tielx
sions & injuries de lad-
assent des ditz seignurs
tuelx & temporelx & a la
des communes suisditz
deigneiz & establiz qe
clerck del corone ne p-
pluis qe nad este de
usee dauncien temps. I-
tre ceo mesme nostre s-
le Roy ad chargeiz les ju-
de bank de Roy qe null
sion soit faite celle partie
bank suisdit.

CAP. XI.

*A remedy for him who is wrongfully pursued in the
of admiralty.*

33 Co. 52.
The statute of
13 R. 2. stat. 1.
c. 5. confirm-
ed, touching
the admiral's
jurisdiction.

ITEM, whereas in the statute
made at Westminster the
thirteenth year of the said King
RICHARD, amongst other things
it is contained, That the admirals
and their deputies shall not inter-
meddle from thenceforth of any
thing

ITEM come en lestat
a Westm' lan treszil
dit Roy RICHARD entre
choses soit contenuz qe l-
miralx & leur deputees
medlent deslors enave-
nulle chose faite deinz l-

mais soulement de chose
sur la meer solonc ce qad
uement usez en temps de

Roy EDWARD Aiel le
oi RICHARD. nostre dit
ir le Roy voet & grante
dit estatut soit fermement
& gardez & mys en due
tion. Et outre ce mesme
seigneur le Roy de ladvis
nt des seignurs espirituelx
mporelx & al prier des
communes ad ordeignez
abliz qe quant a peine
e sur ladmiraill ou son
nant qe lestatur & la com-
loye soient tenez devers
& qe celui qi soy sent
encontre la fourme du
atut ait sacction par brief
u sur le cas envers celui
pursue en la courte de
raltee & recoevre ses da-
s devers mesme le pur-
au double & encourage
e le pursuant la peine de
nvers le Roy pur la pur-
nfi faite sil soit atteint.

me pursuant shall incur the pain of ten pounds to the
for the pursuit so made, if he be attained.

*thing done within the realm, but
only of a thing done upon the sea,
according as it hath been duly used
in the time of the noble King ED-
WARD, grandfather to the said
King RICHARD; (2) our said
lord the King will and grant-
eth, That the said statute be
firmly holden and kept, and
put in due execution. (3) And
moreover, the same our lord
the King, by the advice and
assent of the lords spiritual and
temporal, and at the prayer of
the said commons, hath or-
dained and stablished, That as
touching a pain to be set upon
the admiral, or his lieutenant,
that the statute and the com-
mon law be holden against
them; (4) and that he that
seeleth himself grieved against
the form of the said statute,
shall have his action by writ
grounded upon the case against
him that doth so pursue in the
admiral's court; (5) and re-
cover his double damages a-
gainst the pursuant; (6) and*

A remedy for
him who is
wrongfully
pursued in the
court of the
admiralty.

Co. 106.
Dyer, 159.
Cro. Car. 296,
603.
4 Mod. 176.
1 Salk. 31.

Raft. 23.

C A P. XII.

Certain restraints laid on wholly born Welshmen.

M, it is ordained and establiſhed, That from henceforth
Welſhman whole born in *Wales*, and having father and
or born in *Wales*, ſhall purchaſe lands and tenements
in the town of *Cheſter*, *Salop*, *Bridgenorth*, *Ludlow*, *Leominſter*,
ſtred, *Glouceſter*, *Worceſter*, nor other merchant towns join-
the marches of *Wales*, nor in the ſuburbs of the ſame,
pain of forfeiture of the ſame lands, and tenements to the
of whom ſuch lands or tenements be holden in chief. And
that no ſuch *Welſhman* be from henceforth choſen or re-
to be citizen or burgeſs in any city, borough or merchant
and that ſuch *Welſhmen*, which now be in any ſuch city,
gh, or franchiſed town, being citizens or burgeſſes, ſhall
fficient ſurety, and put a good caution of their good bear-
s well towards our ſovereign lord the King and his heirs
realm of *England*, as for to hold their loyalty to the go-
s of ſuch cities, boroughs, or towns for the time being, in
on of the ſame cities, boroughs, or towns; if the ſame
Welſhmen

Ex edit. Raft.
Welſhmen
born.

Welshmen will dwell therein, so that none of them from henceforth be received nor accepted to no office of mayor, bailiff, chamberlain, constable, or warden of the ports of the gaol, nor to the common council of such cities, boroughs or towns, nor that he be in no wise made other occupier or officer in the same, nor that none of the said *Welshmen* from henceforth bear any manner of armour within such city, borough, or merchant town, upon pain of forfeiture of the same armour, and imprisonment till they have made fine in his behalf.

Repealed by
21 Jac. I. c. 28.

CAP. XIII.

The effect of the pardon granted by stat. 21 R. II. c. 15. rehearsed and confirmed, notwithstanding the residue of the said parliament is repealed.

ITEM, whereas the said *Richard* late King of *England*, at his parliament holden at *Westminster*, and adjourned towards *Salop*, the xxi. year of his reign, by a statute did pardon and release to all his liege people of *England*, of whatsoever estate or condition they were, and to every of them all manner escapes of felons, chattels of fugitives and of felons, trespasses, negligences, misprisions, ignorances, and all other articles of the eyre, and all other things fallen or chanced within the realm of *England*, the punishment whereof should lie in fine or in ransom, or in other pecuniar pains, or otherwise imprisonment or amerciaments of the commons of towns or of singular persons, or in charge of their freehold, that never offended as heirs or landtenants, of escheators, sheriffs, or coroners, or other such officers, and also hath pardoned and released to them all manner of gifts, alienations or purchases made by them, or by any of them, of lands, tenements, or other possessions holden of him in chief without the King's licence, and all manner of entries made into their inheritances, purchases, or otherwise in part or in all, after the death of their ancestors, or of any other, without suit or due process thereof made, till the Thursday the last day of the said parliament, except those lands, tenements, and possessions, which be aliened into Mortmain without the licence royal. And also hath wholly pardoned and released to them all manner of fines, amerciaments, issues, forfeits not adjudged nor determined, made, fallen or chanced within the same realm before the said Thursday: our said sovereign lord the King, by the advice and assent of all the lords spiritual and temporal, and at the special request and prayer of the said commons, will and granteth, That all his liege people, and every of them, may have, use, and enjoy the privilege and benefit, of the said pardon and statute, notwithstanding that the said parliament, made the said xxi. year, and all the statutes made in the same, and all the circumstances and dependences of the same parliament be utterly adnulled, revoked, and repealed in the parliament of our sovereign lord the King that now is, holden at *Westminster* the first year of his reign.

Pardon.

CAP.

C A P. XIV.

purveyance for the King's house of 40 s. or under, shall be presently paid for.

ITEM, it is ordained and stablished, That the statutes of Purveyors, made before this time, be holden and kept, and in due execution, joined to the same, that from henceforth purveyor nor buyer make any purveyance or buying for the King's house of any thing to the value of xl. s. or within, unless he make ready payment in hand, upon pain to lose his office, and to pay as much to the party grieved. 20 H. 6. c. 8.
12 Car. 2. c. 24.

C A P. XV.

of orthodoxy of the faith of the church of England asserted, and provision made against the oppugners of the same; with the punishment of Hereticks.

ITEM, whereas it is shewed to our sovereign lord the King on the behalf of the prelates and clergy of his realm of England in this present parliament, That although the Catholic Church builded upon Christ, and by his apostles and the holy Church sufficiently determined, declared, and approved, hath hitherto by good and holy and most noble progenitors of our sovereign lord the King in the said realm amongst all the Kings of the world, most devoutly observed, and the church of England by his said most noble progenitors and ancestors, to the honour of God and of the whole realm aforesaid, laudably followed, and in her rights and liberties sustained, without that the same faith or the said church was hurt or grievously oppressed, or else perturbed by any perverse doctrine or wicked heretical or erroneous opinions: yet nevertheless divers false and perverse people of a certain new sect, of the faith of the sacraments of the church, and the authority of the same damnably speaking, and against the law of God and of the church usurping the office of preaching, do perversly and maliciously in divers places within the said realm under the colour of dissimulation of holiness, preach and teach these days openly and privily divers new doctrines and wicked, heretical and erroneous opinions, contrary to the same faith and blessed determinations of the holy church. And of such sect and wicked doctrine and opinions they make unlawful conventicles and confederacies, they build and exercise schools, they make and write books, they do wickedly instruct and inform people, and as much as they may stir and stir them to sedition and insurrection, and make at strife and division among the people, and other enormities terrible to be heard daily do perpetrate and commit, in subversion of the said Catholic faith and doctrine of the holy church, diminution of God's honour, and also in destruction of the same, rights and liberties of the said church of England, by which sect and wicked and false preachings, doctrines, and opinions of the said false and perverse people, not only most grievous peril

peril of the souls, but also many more other hurts, slanders, and perils, (which God prohibit) might come to this realm, unless it be the more plentifully and speedily holpen by the King's majesty in this behalf, namely, whereas the diocesans of the said realm cannot by their jurisdiction spiritual, without aid of the said royal majesty, sufficiently correct the said false and perverse people, nor refrain their malice, because the said false and perverse people do go from diocese to diocese, and will not appear before the said diocesans, but the same diocesans and their jurisdiction spiritual, and the keys of the church with the censures of the same, do utterly condemn and despise, and so their wicked preachings and doctrines doth from day to day continue and exercise, to the hatred of right and reason, and utter destruction of order and good rule. Upon which novelties and excesses above rehearsed, the prelates and clergy aforesaid, and also the commons of the said realm being in the same parliament, prayed our sovereign lord the King, that his royal highness would vouchsafe in the said parliament to provide a convenient remedy: the same our sovereign lord the King graciously considering the premises, and also the laudable steps of his said most noble progenitors and ancestors, for the conservation of the said Catholic faith, and sustentation of God's honour, and also the safeguard of the estate, rights and liberties of the said church of *England*, to the laud of God, and merit of our said sovereign lord the King, and prosperity and honour of all his said realm, and for the eschewing of such dissensions, divisions, hurts, slanders, and perils, in time to come, and that this wicked sect, preachings, doctrines and opinions should from henceforth cease and be utterly destroyed, by the assent of the states and other discreet men of the realm, being in the said parliament, hath granted, stablished, and ordained, from henceforth firmly to be observed: That none within the said realm, or any other dominions, subject to his royal majesty, presume to preach openly or privily, without the licence of the diocesan of the same place first required and obtained, curates in their own churches, and persons hitherto privileged, and other of the canon law granted, only except. Nor that none from henceforth any thing preach, hold, teach or instruct openly or privily, or make or write any book contrary to the Catholic faith or determination of the holy church, nor of such sect and wicked doctrines and opinions shall make any conventicles, or in any wise hold or exercise schools. And also that none from henceforth in any wise favour such preacher, or maker of any such and like conventicles, or holding or exercising schools, or making or writing such books, or so teaching, informing or exciting the people, nor any of them maintain or any wise sustain. And that all and singular having such books or any writings of such wicked doctrine and opinions, shall really with effect deliver or cause to be delivered all such books and writings to the diocesan of the same place within xl. days, from the time of the proclamation of this ordinance and statute. And if any person or persons, of

what-

Preaching.

whatsoever kind, estate, or condition that he or they be, from henceforth do or attempt against the royal ordinance and statute aforesaid in the premisses or in any of them, or such books in the form aforesaid do not deliver, then the diocesan of the same place in his diocese, such person or persons in this behalf defamed or evidently suspected and every of them may by the authority of the said ordinance and statute cause to be arrested, and under safe custody in his prisons to be detained, till he or they of the articles laid to him or them in this behalf, do canonically purge him or themselves, or else such wicked sect, preachings, doctrines, and heretical and erroneous opinions do abjure, according as the laws of the church do require, so that the said diocesan by himself or his commissaries do openly and judicially proceed against such persons so arrested, and remaining under his safe custody to all effect of the law, and determine that same business according to the canonical decrees within three months after the said arrest, any lawful impediment ceasing. And if any person in any case above expressed, be before the diocesan of the place or his commissaries canonically convicted, then the same diocesan may do to be kept in his prison the said person so convicted for the manner of his default, and after the quality of the offence according and as long as to his discretion shall seem expedient, and moreover to put the same person to the secular court (except in cases where he according to the canonical decree ought to be left) to pay to our sovereign lord the King his pecuniar fine, according as the same fine shall seem competent to the diocesan, for the manner and quality of the offence, in which case the same diocesan shall be bound to certify the King of the same fine in his exchequer by his letters patents sealed with his seal to the effect that such fine by the King's authority may be required and levied to his use of the goods of the same person so convicted. And if any person within the said realm and dominions, upon the said wicked preachings, doctrines, opinions, schools, and heretical and erroneous informations or any of them be before the diocesan of the same place or his commissaries sentimentally convicted, and the same wicked sect, preachings, doctrines and opinions, schools and informations, do refuse duly to abjure, or by the diocesan of the same place or his commissaries after the abjuration made by the same person pronounced fall into relapse, so that according to the holy canons he ought to be left to the secular court, whereupon credence shall be given to the diocesan of the same place, or to his commissaries in this behalf, then the sheriff of the county of the same place, and mayor and sheriff or sheriffs, or mayor and bailiffs of the city, town and borough, of the same county next to the same diocesan or the said commissaries, shall be personally present in preferring of such sentences, when they by the same diocesan or his commissaries shall be required: and they the same persons and every of them, after such sentence promulgate, shall receive, and them before the people in an high place do to be burnt, that such punishment may strike in fear to the minds of

Repealed 25
H. 8. c. 14.
1 Ed. 6. c. 12.
1 Eliz. c. 1.
29 Car. 2. c. 9.

other, whereby no such wicked doctrine and heretical and erroneous opinions, nor their authors and fautors in the said realm and dominions against the chatholick faith, christian law, and determination of the holy church (which God prohibit) be sustained or in any wise suffered, in which all and singular the premises concerning the said ordinance and statute, the sheriffs, mayors and bailiffs, of the said counties, cities, boroughs, and towns, shall be attending, aiding and supporting, to the said docters and their commissaries.

C A P. XVI.

If Welshmen do not restore to Englishmen the distresses taken by them within seven days, Englishmen may return the like measure to them.

Ex edit. Rast.
Welshmen.

ITEM, whereas upon the grievous complaint made to our sovereign lord the King by the commons in the parliament, how the people of *Wales*, sometime by day and sometime by night, cometh within the counties joyning upon the marches of *Wales*, and doth take divers distresses of horses, oxen, kine, sheep, swine, and other their goods to a great number, and the same doth lead, drive, and carry away to the seignories where they be resiant, and there withholdeth them till gree be made at their will, and that as well of them that have not offended, as of them that have offended, and also the said people of *Wales* doth daily arrest the people of the said counties coming with their merchanchises or other their goods and chattels, and affirmeth plaints against them of debts, covenants, trespasses, and other actions, whereof they be not parties nor pledges, to the intent to grieve them by divers and outrageous amerçiements and costs, to the great impoverishing and utter undoing of the people of the said counties: our sovereign lord the King considering the mischiefs aforesaid, and willing thereupon to provide remedy, by the assent and advice of the said lords, and at the request of the commons hath ordained and established; That if any people of the said counties be arrested and grieved, as afore is said, maintainant letters testimonials shall be made, reciting their grievance, directed to the governors or stewards, where such offenders be resiant with their goods or chattels received in *Wales*, under the seals of the sheriffs of the said counties, or of the mayors and bailiffs of the cities and boroughs, or stewards of franchises, where such people so grieved be dwelling, to the intent that the said governors or stewards shall do to be delivered to them their distresses, goods, and chattels so taken or arrested. And if they make not delivery of such distresses, goods, or chattels so taken or arrested, within seven days after request so to them made, then it shall be lawful to the *English* people so grieved, to arrest all men that cometh with the goods and chattels of them of the seignories of *Wales*, where such offenders be inhabiting or resiant, and the same to retain, till that full agreement be made to the said parties grieved with their mysfes, costs and expenses.

expences, together with their distresses, goods, and chattels
afore said.

C A P. XVII.

Repealed
4 Jac. 1. c. 28.

*If a Welshman commit a felony in England, and thereof is
attainted, and after flieth into Wales, upon certificate of
the King's justices he shall be executed.*

ITEM, it is ordained and established, That if any *Welshman*, *Welshmen*
from henceforth do enter in the counties joining to the same
in the realm of *England*, and in the same do burn, kill, ravish,
or commit any other felony or trespass, whereof he is attainted
within the realm of *England*, by the laws of the same realm, by
outlawry or abjuration, and repaireth into *Wales*, and abideth
there: that upon the certification, and records to be made by
the justices of our sovereign lord the King in *England*, before
whom they shall be so convicted, under their seals to the lords and
ministers where such felons shall be found in *Wales*, final execu-
tion be made upon the same felons by the same lords or ministers,
and that upon a grievous pain.

Repealed
21 Jac. 1. c. 28.

C A P. XVIII.

*Lords marchers in Wales shall keep sufficient guards in their
castles.*

ITEM, it is accorded and established, That the lords of the
marches of *Wales* shall ordain and set sufficient stuffing and
ward in their castles and seignories of *Wales*, to the intent that
in time to come no loss, riot, nor damage come of our sovereign
lord the King or to his realm, nor to none of his liege people
by their tenants, resiants, nor none other *Welshmen* in their de-
fault, as hath come and be done for default of good governance
in time past.

Lords.
Marches.
Wales.

Rep. 21 Jac.
1. c. 28.

C A P. XIX.

*No Englishman shall be condemned at the suit of a Welsh-
man in Wales, but only by English justices, or English
burgesses.*

ITEM, it is ordained, That no whole *Englishman* by three *Welshman*.
years next following shall be convicted at the suit of any *Wels*. *Wales*.
man within *Wales*, except it be by the judgment of *English* jus-
tices, or by the judgment of whole *English* burgesses, or by in-
quest of borough towns and *Englishmen* of the seignories where
such *Englishmen* be arrested.

C A P. XX.

*No Welshman shall purchase land in England, nor in the
English towns in Wales.*

ITEM, it is accorded and assented, That from henceforth no
Welshman be received to purchase lands nor tenements with-
in *England*, nor within the boroughs nor *English* towns of *Wales*,
upon pain to forfeit the same purchases to the lords, of whom
the said lands and tenements be holden, as such estate which the

Welshmen.
Purchase.
Vide superius
c. 12.

Rep. 21 Jac. 1.
c. 28.

said putchafer had in the same, nor that no *Welshman* shall be cepted burgeses, nor to have any other liberty within the real nor within the boroughs and towns aforesaid.

CAP. XXI.

No lord shall give any livery or sign to any knight, esquire yeoman.

Ex edit. Pult.
No lord shall
give any livery
or sign to any
knight, es-
quire, or yeo-
man.

The several
forfeitures of
several offen-
ders.

A confirmati-
on of the sta-
tute 1 H. 4.
c. 7.
ordained a-
gainst unlaw-
ful giving or
wearing of
liveries.

The prince
may give his

ITEM, whereas in the last parliament it was ordained established, That no lord of what estate or condition were, should use nor give any livery or sign of company to knight, esquire, nor yeoman within the realm aforesaid; so always, That our lord the King should give only his honour livery to the lords temporal, whom pleased him; and so also, That the same our lord the King should give only his honourable livery to his menials, knights, and esquires, and to his knights and esquires which be of his retinue, and of him their annual fee for term of life: (2) and moreover was accorded and assented by the King, the lords and the commons aforesaid, That the said knights and esquires should likewise use their said liveries in their county or counties where should be resident and dwelling, nor elsewhere within the realm out of the King's presence; (3) and if any lord did the contrary, and that duly proved, he should make fine and ransom at the King's will: (4) and if any knight or esquire did the contrary and thereof were duly attainted, he should lose his said livery and forfeit his fee for ever: (5) and that no yeoman should or use any livery of the King, or of any other lord, upon pain of imprisonment, and to make fine and ransom at the King's will: (6) provided always, that the constable and marshal of *England* for the time being in their retinue of knights esquires, may wear the said livery of the King upon the borders and marches of the realm in time of war.

II. Provided also, That all those that shall travel or pass sea to the parts beyond the sea, to acquire honour, may use the same livery in those parts without being thereof in any way grieved or appeached, as in the statute thereof made more fully is contained. (2) Our said lord the King considering the statute to be very expedient and necessary, hath ordained established, That the same statute shall be firmly holden kept, (3) joined thereto, That the justices of the one bench of the other, and the justices of assises and of the peace, shall have power and authority to enquire, hear, and determine in case, by record in their presence, or by inquiry to be made from time to time, (4) and that the dukes, earls, barons, and bishops of the realm, may use the said livery in their country elsewhere; (5) and also that the said knights and esquires use the said livery in going from the King's house and return to the same. (6) Provided always, That the same knights esquires use not the same livery in their counties or counties where they be resident or dwelling, upon the pain contained in the said statute. (7) Moreover it is accorded, That the p

may give his honourable liveries or sign to the said lords, and to his menial gentlemen. (8) And that the said lords may use the same as they use the King's livery, and that the menials of the prince may also use the same as the King's menials, and in the manner, and upon the pains aforesaid.

honourable
liveries.
8Ed. 4. c. 2.
3 Car. 1. c. 4.

CAP. XXII.

Suits may be prosecuted against certain persons meant to be protested by the statute of 11 Rich. II. c. 1 & 2.

ITEM, whereas in the statute made in the xi. year of the said King RICHARD, amongst other things it is contained, That no man should pursue anything contrary to the same that then was ordained or judged, touching them against whom the judgment of forfeiture was given in the same parliament, upon the pain of the same forfeiture comprised in the same ordinance: our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained and established, That no man be grieved nor endamaged by any suit made or to be made to the contrary of the said ordinance, and that every man be free and at large to pursue to have grace and remedy without any impeachment, notwithstanding the ordinance aforesaid.

Ex edit Rast.

Forfeiture.

CAP. XXIII.

The fees of the marshal of the marshalsea of the King's house.

ITEM pur ce que le mareschall de la mareschalcie del courte de loustell nostre seignur le Roy en temps de Roy EDWARD aiel nostre seignur le Roy qorest & devant soloit prendre les fees qenfuient cest assavoir de chescun qi vient par Capias a dite courte iiij d. & fil soit lessé a maynprise tanqua son jour ii d. outre & de chescun qest emplede de trespas & trove deux mainparnours pur garder ses jours tanqe a fyn de plee de prendre pur celle cause de defendand ii d. de chescun commys a prisone par jugement de Seneschall en queconque manere que ceo soit iiiij d. de chescun deliveree de felonie iv. d. de chescun felon lessé a maynprise par la courte iv. d. queux fees soloient estre prises & paieez en pleine courte come le Roy ad bien entenduz par la

ITEM, whereas the marshal of the marshalsea of the court of our lord the King's house, in the time of King EDWARD, grandfather of our lord the King that now is, and before, was wont to take the fees which do hereafter follow; that is to say, of every person that cometh by capias to the said court, four pence; (2) and if he be let to mainprise till his day, two pence more; (3) and of every person which is impleaded of trespass, and findeth two mainpennors to keep his day till the end of the plea, to take for that cause two pence of the defendant; (4) and of every person committed to prison by judgment of the steward, in whatsoever manner the same be, four pence; (5) of every person delivered of felony, and of every felon let to mainprise by the court, four pence; (6) which fees were wont to be taken and paid in full court.

The fees of
the marshal
of the mar-
shalsea of the
King's house,

court, as the King hath well perceived by the complaint of the said commons thereof made in the said parliament: (7) The same our lord the King to avoid all such wrongs and oppressions to be done to his people, against the good customs and usages made and used in the time of his progenitors, by the advice and assent of the lords spiritual and temporal, and at the supplication of the said commons, hath ordained and established, That if the said marshal, or his officers under him, take other fees than above are declared, that the said marshal, and every of his said officers, shall lose their offices, (8) and pay treble damages to the party grieved, (9) and that the party grieved have his suit before the steward of the said court for the time being.

The penalty on the marshal for taking more than his lawful fees.

The fees of a servitor of bills, and the penalty if he take more.

II. Also it is ordained and established, That no servitor of bills that beareth a staff of the same court, shall take for every mile from the same court to the same place where he shall do his service, any more than i d. and so for 12 miles xii d. (2) And for to serve a *Venire facias* xii homines, &c, or a *Distingas* out of the same court, the double: (3) and if any of the said servitors of bills do the contrary, he shall be punished by imprisonment, and make a fine to the King after the discretion of the steward of the same court, and also be forejudged the court. (4) And the same steward shall have power to make proclamation at his coming to the said court* in every county, from time to time, of all the articles aforesaid, ment as afore is said.

* At the coming of the said Court.
9 R. 2. c. 5.

la complainte des dites courtes en fait en cest parmesme nostre seigneur pur ouster toutes des oppressions affaires a force encontre les bons usages tumes faitz & usez de ses progenitours de assent des seignurs es & temporelx & a la fin on des dites commune deigne & establiz que marefchall ou ses minioutz luy preigne ou par autres fees que desuis forez que mesme le marechescun de ses ditz perdre & perdent leur paie ou paient trebles a partie grevee et que grevee ait sa seute deva neschall du dite courtes temps esteant.

Et auxint ordeigne establiz que nul servitour qui porte baston de courtes ne preigne par leuk del courtes tanquel il fra son office plus nient & ensi pur xii. le deniers & pur servirer cias xii. homines &c. hors de mesme la double & si aucun des vitours des billes face traire qil soit puniz par sonement & face fyn ou lonc la discretion de se de mesme la courtes & juggle la courtes. Et en le seneschall poair de clamation al venue courtes en chescun paies en temps de toutz les avaunt ditz & dent fairement come desuis est and thereof to execute

CAP. XXIV.

Process against those that were with the duke of York, 23 Rich. 2. for their wages then received shall be discharged.

ITEM, Whereas the commons complaining have shewed to our sovereign lord the King in the parliament, how that in time of the said late King Richard, the xxiii. year of his reign, it was commanded throughout the realm, and to certain people of the realm charged upon their liegance to come to the duke of York, then being lieutenant of England, to go and tarry with him at the King's wages, and now certain processes be made out of the exchequer against the said people, for the sums of money then taken by them for their said travail and abiding with the lieutenant aforesaid, to the great damage of their estates: It is ordained and established by the King and the lords, and at the request of the said commons, that the same commons and every of them, and every sheriff of England then being, may account before the barons of the exchequer by their oath of the said sums so received, and to be thereof discharged by their oath, without suing other warrant. And that they and every of them have due allowance of that that they or any of them have expended and payed for wages in riding and tarrying with the said lieutenant, to the sum by them or any of them received.

Ex edit. Rast.
Account.

Statutes made at *Westminster*, Anno 4 HEN. IV.
and *Anno Dom.* 1402.

AL honneur de Dieux & de seinte eglise & pur les commune bien & profit de tout le roialme dEngleterre nostre seignur le Roy de lassent des seignurs esperituelx & temporelx & a les especialx instance & request des communes assemblez au parlement tenuz a Westm' lendemayn de seint Michel lan de son regne quart ad ordeignez & establiz certains estatutz & ordinances par manere quenseute.

TO the honour of God and holy church, and for the common wealth and profit of all the realm of England, our lord the King, by the assent of the lords spiritual and temporal, and at the special instance and request of the commons, assembled at the parliament bolden at Westminster the morrow after the feast of St. Michael, the fourth year of his reign, hath ordained and established certain statutes and ordinances by the manner as followeth.

CAP. I.

A confirmation of the liberties of the church, and of all corporations and persons.

PRimerement qe seinte eglise ait toutes ses libertees

FIRST, That holy church have all her liberties and

E c 4

fran-

A confirmation of the liberties of the church, and of all corporations and persons, and of all statutes not repealed.

franchises; (2) and that the lords spiritual and temporal, and all the cities, boroughs, and towns franchised, have and enjoy all their liberties and franchises, which they have had of the grant of the progenitors of our said lord the King, Kings of *England*, and of the confirmation of the same our lord the King; (3) and that the Great Charter, and the Charter of the Forest, and all the good ordinances and statutes made in the time of our said lord the King in the time of his progenitors, not repealed, be firmly holden and kept.

tees & franchises & que toutz les seignurs espirituelx & temporelx & toutz les citees burghs & villes enfranchises aient & enjoient toutes leur libertees & franchises queux ib ont de grante des progenitours nostre dit seigneur le Roy Roys d'Engleterre & de confirmation mesme nostre seigneur le Roy & que la Grande Chartre & la Chartre de la Foreste & toutz les bons ordinances & estatutz faitz en temps nost. dit seigneur le Roy & en temps de ses ditz progenetours nient repellez soient fermement tenuz & gardez.

CAP. II.

The words Infidiatores viarum, &c. shall not be put in any indictments, &c.

3 Inst. 204.
A confirmation of the statute made 25 Ed. 3. de Clero.

ITEM, our said lord the King having in remembrance the faithful hearts and the inward affection that the clergy of *England* hath borne to him, and also the great charges which the same clergy hath had and sustained for his honour and profit after the time of his coronation, and therefore willing to be a gracious lord to them in their affairs, by the assent of the said lords, at the special suit and request of the said commons, will and granteth, That the statutes made the five and twentieth year of King EDWARD, grandfather to our lord the King that now is, touching the clergy of *England*, be entirely holden and kept, and put in due execution.

II. And moreover the same our lord the King, considering that the words and terms (that is to say) *Infidiatores viarum, & depopulatores ag-*

ITEM nostre dit seigneur le Roy aiant en memoire les entiers coers & les grandes naturells queux le clergie d'Engleterre luy ad monstrez & auxi les grandes charges queux mesme le clergie ad eue & sustenu pur son honour & profit puis les temps de son coronement & pur tant leur veillant monstrier gracieuse seignourie en leur affaires de lassent des ditz seignurs & a les especiaux prier & request des ditz communes voet & grante que les estatutz faitz lan vint & quint le Roy EDWARD aiel nostre dit seigneur le Roy touchant le clergie d'Engleterre soient entierement tenuz & gardez & mys en due execution.

Et en outre mesme nostre seigneur le Roy considerant que les parols & termes cestassavoir *Infidiatores viarum & depopulatores agrorum* comprises en la petition a luy baillez en cest parlement par le clergie d'Engleterre

The words *Infidiatores viarum & depopulatores agrorum*, shall not be put in indictments or appeals.

3 Inst. 41.

rum

nont este commune-
 sez en enditementz ar-
 nitz nen autres empes-
 nitz en temps de son dit
 n temps de ses autres
 progenitours. Et veul-
 ar tant oustier tielles no-
 s pur la greindre quiete
 ee de son poeple de las-
 s seignurs & communes
 ne le parlement voet &
 & ad ordeigne & esta-
 les susditz parols & ter-
 e soient desore enavant
 : mysés en enditementz
 nentz appellez nen au-
 peschementz quelxcon-
 ve que par force de nul
 ol ne terme aucun clerc
 ou religious ne aucun
 persone liege nostre sei-
 e Roy soit desore ena-
 sinez appelez empeschez
 blestez devaunt aucun
 seculer mes voet bien
 dit seigneur le Roy qe ses
 prendre & recevoir
 t devaunt eux endite-
 arrementz & appellez
 nies en soy portant les-
 s susditz parols & termes
 ins des tielles felonies
 desore enditez rettez ou
 z. Et si par cas en
 avenir aucuns clerks se-
 ou religious soient ou
 enditez rettez ou appel-
 leurs enditementz arret-
 z ou appelez portent
 des ditz parols cestass-
 fidiatores viarum & de-
 tores agrorum ou autres
 portantz effect sembla-
 ientmeyns eient tielx
 & enjoient le privilege
 te esglise & soient live-
 ordinaires eux deman-
 ou a lour deputez sanz
 peschement ou delaie.

shall have and enjoy the

rorum, comprised in the peti-
 tion delivered to him in this
 parliament by the clergy of
England, have not been com-
 monly used in indictments,
 arraignments, appeals, nor in
 other impeachments in the
 time of his said grandfa-
 ther, nor in the time of his
 other progenitors, and wil-
 ling therefore to avoid such
 novelties, for the great quiet
 and surety of his people, by
 the assent of the lords and com-
 mons of the same parliament,
 will and granteth, and hath
 ordained and established, That
 the said words and terms shall
 not be from henceforth used,
 nor put in indictments, ar-
 raignments, appeals, or any o-
 ther impeachments; (2) nor
 that by force of any such
 word or term, any clerk reli-
 gious or secular, nor any other
 of the King's liege people,
 shall be from henceforth ar-
 raigned, appealed, impeached,
 or grieved before any secular
 judge; (3) but our lord the
 King doth will, that the jus-
 tices may take and receive be-
 fore them indictments, ar-
 raignments, and appeals of fe-
 lonies, containing in them the
 effect of the said words and
 terms, if any person of such
 felonies shall hereafter be in-
 dicted, arraigned, or appealed.

(4) And if percase it chance in
 time to come, any clerks, reli-
 gious or secular, shall be in-
 dicted, arraigned, or appealed,
 and their indictments, arraign-
 ments, or appeals do compre-
 hend the effect of the said
 words *Insidiatores viarum*, and
depopulatores agrorum, or other
 words purporting the like ef-
 fect; yet nevertheless such
 privilege of holy church, and
 shall

Clerks shall be
 allowed their
 clergy not-
 withstanding
 an indictment
 hath the
 words afore-
 said.

Hobart, 288.

shall be delivered to the ordinaries them demanding, or their deputies, without any impeachment, or any delay.

C A P. III.

A confirmation of the liberties of the church and clergy. A clerk convicted for treason, or being a common thief, shall not make his purgation.

Ex edit. Pult.
The liberties
of the church
and clergy
confirmed.

ITEM, By the same assent our lord the King doth will and grant, and hath ordained and established, That all the statutes, ordinances and grants, made or granted by his noble progenitors or predecessors Kings of *England*, to the clergy of *England*, for the conservation of their liberties and privileges, and for the conservation of the liberties and immunities of holy church not revoked, be firmly holden, observed and kept, and put in due execution according to their form and effect: (2) And thereupon the archbishop of *Canterbury* for himself, and for all other bishops of his province, hath promised to our said lord the King, That if from henceforth any clerk secular or religious, that is convicted of treason that toucheth not the King himself, nor his royal majesty, or that he be a common thief, and for such notoriously holden and reputed, and for the same cause as clerk convicted shall be from henceforth delivered to any ordinary: that the same ordinary shall keep him safely and surely, and according to the effect of a constitution provincial to be made by the said archbishop and other bishops, according to the content, form, and effect of the letters of *Simon* late archbishop of *Canterbury*, bearing date the twelfth kalends of *March*, the year of grace, one thousand three hundred fifty one, ordaining and inserting in the same constitution certain pains by them to be limited by their discretion. (3) And that no such clerk convicted of such treason, or that he be a common thief, as afore is said, after he be delivered, shall make any purgation contrary to the purport of the said constitution: (4) which constitution shall be shewed to our said lord the King before this next parliament, to the intent that if it seemeth to his high discretion, that the said constitution shall not be a convenient remedy in this case, that then it may be treated and provided of other remedy in such sort as appertaineth.

23 H.8.c.1.
32 H.8.c.3.
Hob. 288.
A clerk convicted for treason, or being a common thief, shall not make his purgation.

C A P. IV.

The King will grant no lands, &c. but to such as shall deserve them. The punishment of those who shall make any demand without desert.

Ex edit. Rast.
Gifts and
grants.

ITEM, Whereas before this time many gifts and grants have been made to divers persons, as well of the revenues of the right of the crown of *England*, as of wards, marriages, lands and tenements, and other divers commodities, without good deliberation thereof had, as the said commons have shewed to our sovereign lord the King in the parliament: the same our sovereign lord the King, willing thereof to provide remedy, hath declared, That his intent is to refrain to make any such gifts or grants, saving only to such persons which the

same

2.] Anno quarto HENRICI IV.

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deserve, and as best shall seem to the King and his coun- And sith it is the desire of all the estates of the realm, nothing should be so demanded of the same our sovereign the King, he will, that all those that make any such de- is of him, contrary to this statute, shall be punished by the e of him, and of his council, and that he that maketh such ind, shall never have the thing so demanded.

CAP. V.

Every sheriff shall in person continue in his bailiwick, and shall not let it.

EM ordeignez est & assen- iz qe chescun viscont dEn- rre soit demurrant en pro- persone deinz sa baillie pur nps qil serra tiel officer & ie lessé sa dite baillie a e a nully par le temps qil piera cel office. Et qa ce soit tiel viscont jurrez de is en temps en especiale : les autres articles com- en le serement de viscont.

ITEM, it is ordained and assented, That every she- riff of *England* shall abide in proper person within his baili- wick, for the time that he shall be such officer; (2) and that he shall not let the said baili- wick to farm to any man, for the time that he occupieth such office; (3) and that the said sheriff be sworn from time to time to do the same in special, amongst other articles com- prised in the oath of the sheriff.

Every sheriff shall in person continue in his bailiwick and shall not let it to farm.

23 H.6.c.10.

CAP. VI.

Seal of lead shall be provided to seal cloths wrought in London and the suburbs.

EM, whereas before this time, to avoid the deceit which hath been used in cloths sold in London, under the name and colour of made in London and the suburbs of the same, there was ord- d a seal of lead for to seal such cloths made in the said city and bs, till now of late, that for the singular profit of certain per- the seal of lead hath been excluded, to the great damage of the y, and great slander to the city and suburbs: our said sovereign he King, by the advice and assent aforesaid, to obvient such sub- and deceit hath ordained and established: That one sufficient shall be assigned by the same our sovereign lord the King al the said cloths, which shall be wrought, woven, and ful- l the said city, and the suburbs of the same, with a seal of as in old times was used in the same city and suburbs, hat no such cloth so wrought, woven, and fulled within the city and suburbs, be in any wise sold or bargained, nor o seal, unless it be sealed with a seal of lead, as before is

Ex edit. Roff. Cloths. London. Seal.

Rep. by 5 & 6 Ed.6. c.6. sect. 39.

And the same our sovereign lord the King shall have the ture of the cloths sold contrary to this statute, if any be.

CAP.

CAP. VII.

The disseisee shall have an assise against the disseisor taking the profits.

2 Co. 123.

ITEM, *Whereas in the statute made the first year of King RICHARD II. it was ordained, That where several persons did disseise other of their freehold, and made feoffment to divers people, as well to have maintenance, as also to make the disseisees to be ignorant, against whom they ought to take their writ; (2) that the disseisees in such case might take their writ against them which thereof shall take the profits, so that the disseisees commence their suit within the year next after the disseisin; (3) and the same ordinance should hold place in every other action or plea where such feoffments be made by fraud or collusion, to have their recovery against such feoffors, if they thereof take the profits: (4) our said lord the King thinking the said statute to be very mischievous and prejudicial to his people, because of the shortness of the time, by the assent of the said lords, and at the request of the commons afore said, hath ordained and stablished, That such disseisees shall have their action against the first disseisor, during the life of the same disseisor, so that such disseisor thereof take the profits at the time of the suit commenced. (5) And as to other writs in plea of land, the demandant shall commence his suit within the year against him which is tenant of the freehold at the time of the action accrued to him, so that such tenant thereof take the profits at the time of such suit commenced, notwithstanding the said statute.*

Explained by
11 H. 6. c. 3.

The disseisee
shall have an
assise against
the disseisor
taking the
profits during
the disseisor's
life.

11 H. 7. c. 1.
11 H. 7. c. 24.

ITEM come en lestatut fait lan primer le Roy RICHARD Second ordeigneiz estoit qe la ou diverses gentz disseisent autres de lour frank tenement & fount seffement as diverses gentz pur maintenance avoir sibien come pur faire les disseisez avoir mesconifance vers queux eux duissent lour brief prendre qe les disseisez en tiel cas puissent lour brief prendre vers ceux qi ent preignent les profitz parissint qe les disseisis comencent leurs suites deinz lan proschein apres le disseisyn & qe mesme lordinance tiegne lieu en chescun autre action en plee ou tieux seffementz sont faitz par fraude ou collusion davoit lour recoverer vers tieux seffours si eux ent preignent les profitz nostre dit seignur le Roy entendant le dit estatut estre molt mechievous & damageous a son pople a cause de briefste de temps de lassent des ditz seignurs & a la request des communes suseditz ad ordeigneiz & establis qe tielx disseisiz aient leur action devers le primer disseisour durante la vie mesme la disseisour parensi qe tiel disseisour ent preigne les profitz au temps de la suyte comencee. Et quant as autres briefs en plee de terre comence le demandant sa seute deinz lan devers celuy qest tenant de frank tenement a temps de l'action luy accrue parensi qe tiel tenant ent preigne les profitz a temps de tiele seute comence non obstant lestatut avaundit.

CAP.

CAP. VIII.

bat cases a special assise is maintainable against a disseisor with force.

EM por ce qe de jour en
atre les grantz persones de
ne font forcibles entrees
utry terres & les posses-
ent oustent enclaymant
1 foitz en lour droit de
e la ou lour entree nest
congeable & ascun foitz
utry droit la ou ils nont
en reversion en droit nen
sne ne il nad null affinite
sinage entre eux & ceux
i droit ils ount entrez &
lour biens & chateux
nont en manere de robe-
int sovent foitz ils sont en
nanere oustez & de lour
& chateux despoilliez
ount rienz pur lour droit
ir & sint par tieux for-
s entrees & maintenances
erre tenantz & possesseurs
toutoutrement desheriteez
struiz nostre dit seignur
si veullant faire ovel droit
uz ses lieges sibien grein-
come meindres & qe ses
soient duement executz a
rouse compleinte des ditz
nunes & de ladvis & as-
les toutz les seignurs suif-
pur punir & chastier tielx
& forcibles entrees ensi
& affaires en temps avenir
atre les loyes de la terre
reigneiz & establiz qe si
homme grant ou petit de
estat ou condition qil soit
scun tiel forcible entree en
oit demesne ou a son oeps
e ou en autry droit ou autry
par voie de maintenance
icuns biens apres tiel for-
entree de les possesseurs
anc tenement preigne ou
rte qe si la partie grevee
ou

ITEM, *Because daily the great persons of the realm do make forcible entries into other men's lands, and put out the possessors of the same, claiming sometime in their own right where their entry is not lawful, and sometime in another's right, where they have nothing in reversion, in right, nor in demean, nor is there any affinity or consinage betwixt them and those in whose right they have entered, and also take their goods and chattels in manner of robbery, so that oftentimes they be in such manner put out, and of their goods and chattels spoiled, that they have nothing to pursue for their right, and so by such forcible entries and maintenance, the land-tenants and possessors be utterly disherited and undone; (2) our lord the King, willing to do equal right to all his liege people, as well the small as the great, and that his laws be duly executed, at the grievous complaint of the said commons, and by the advice and assent of all the lords aforesaid, for to punish and chastise such riots and forcible entries so made, and hereafter to be made, against the laws of the land, hath ordained and established, That if any man, great or small, of what estate or condition that he be, make any such forcible entry in his own right, or to his own use, or in another's right to another's use, by way of maintenance, or take or carry away any goods after such forcible entry from the possessor of the freehold, That if the party grieved, or other*

In what cases a special assise is maintainable against a disseisor with force.

law-

The penalty
for carrying
away the dis-
seisee's goods
or chattels.

5 R. 2. stat. 1.
c. 8.
15 R. 2. c. 2.
8 H. 6. c. 9.
31 El. c. 11.
22 Jac. 1. c. 15.

lawful man will make affiance in his name, that the entry was made in such forcible manner, that the chancellor of *England* for the time being shall have power, by his discretion, to grant a special assise in this case to the party grieved, of whatsoever value the tenements be, without suing to the King. (3) And if such disseisor be attainted of such disseisin made in such forcible manner he shall have one year's imprisonment, and yield to the party grieved his double damages; (4) and if he be convicted by the same assise, that he hath taken or carried away any goods or chattels of such disseisees, the justices of assise shall have power to hear and determine, as well for our lord the King, as for the party, of the goods and chattels so carried away, and to award to the party grieved his damages; (5) and that in every such special assise be named one of the justices of the one bench or of the other, or the chief baron of the exchequer, if he be a man of the law. (6) And that hereafter no writ of *Superfedeas* be granted to the contrary of such special assises.

ou autre loial homme voet afier en son noun qe lentre feust fait en tiel forcible manere qe le chancellor d'Engleterre pur le temps esteant au poair par sa discretion de grantier especiale assise en ce cas: la partie grevee de qeconque value qe les tenementz soient sanz suir au Roy. Et si tiel disseisour soit atteint del disseisine faite en tiel forcible manere qil eit la prisone dun an & rende al partie grevee ses damages a double. Et sil soit convict par mesme lassise qil ait pris ou emporte aucuns biens ou chateux de tieux disseisiz qe les justices de mesme lassise eient poair doier & terminer sibien pur nostre seigneur le Roy come pur la partie des biens & chateux issint emportez & de agarder al partie grevee ses damages. Et qe es chescune tiele assise especiale soit nomez un des justices de lun bank ou de lautre ou le chief baron de lescchequer si soit homme de loye. Et qe temps advenir nul brief de *Superfedeas* soit grantez a contraire de tiele assise especiale.

C A P. IX.

A remedy to discharge commissioners distrained to return commissions.

ITEM, *Because that many commissions be made in the chancery, directed to divers persons of the realm, some time to inquire and certify, some time to inquire, hear and determine, and sometimes to seise lands and tenements, goods and chattels, which commissions never came to the hands of the said commissioners, whereupon writs issued out of the exche-*

ITEM por ce qe plusieurs commissions sont faitz es la chancellerie directes as diverses personnes du roialme aucun foits pur enquer & certifier aucun foitz denquere oier & terminer & aucun foitz de seiser terres tenementz biens & chateux les quelles commissions unques navientront es mains des ditz commissioners

sur

roy briefs issent del es-
r nostre seigneur le Roy
estreindre les ditz com-
ners lour executors heirs
es tenantz aucun foitz de
les estretes fines issues
merciamentz qapertient a
dit seigneur le Roy par
des ditz commissions a-
foitz de certifier ceo qest
devaunt eux par enquest
un foitz dacompter de
ns choses contenuz es
commissions a graunt da-
& diseafe des plusieurs li-
ostre dit seigneur le Roy
e nostre seigneur le Roy
afe & quiete de son poe-
ullant en ce cas purvoir
mede de lassent avaunt dit
& ad ordeigne & establiz
chancellor dEngleterre
e temps esteant use son
come il ad fait devaunt
eures en ce cas. Et es
s cafes ait mesme le chan-
poair par auctoritee du
ment appelez a luy tielx
es come luy plerra ou le
baron de leschequer fil
soignera de purvoir de
de de temps en temps se-
leur discretion.

*chequer of our lord the King to
distrain such commissioners, their
executors, heirs, and land-tenants,
sometime to yield the estreats of
the fines, issues, and amercia-
ments, which pertain to our lord
the King because of the said com-
missions, sometime to certify that
which is found before them by in-
quest, and sometime to account of
certain things contained in the said
commissions, to the great damage
and disquietness of many of the
King's liege people: (2) The
same our lord the King, for
the ease and quietness of his
people, willing in this case to
provide remedy, by the assent
afore said, doth will, and hath
ordained and stablished, That
the chancellor of England for
the time being shall use his
power, as he hath done before
this time in this case; (3) and
in other cases, the same chan-
cellor shall have power by au-
thority of parliament (calling
to him such justices as shall
please him, or the chief baron
of the exchequer, if need be)
to provide remedy from time
to time by their discretion.*

A remedy to
discharge
commissioners
distrained to
return com-
missions
which never
came to their
hands.

7 H4 C. 11.

C A P. X.

*third part of the silver brought to the bullion, shall be
coined in halfpence and farthings.*

EM, for the great scarcity that is at this present within
he realm of *England*, of halfpence and farthings of silver :
t is ordained and stablished, That the third part of all the
ey of silver which shall be brought to the bullion, shall be
e in halfpence and farthings; (3) and that of this third
the one half be made in halfpence, and the other half in
ings, and the same to do and perform the coiner shall be
n in special. (4) And that no goldsmith nor other person,
soever he be, cause to be molten any such halfpence or
ings, upon pain to pay to the King the quatrefle of that
h so shall be molten against the form of this statute.

Ex edit Pult.
The third
part of the
silver which
shall be
brought to
the bullion,
shall be coined
in halfpence
and farthings.
None shall
melt half-
pence or far-
things.

C A P. XI.

Commissions shall be awarded to justices, &c. to enquire of wears, kidels, &c.

25 Ed. 3. stat. 4.
c. 4.

45 Ed. 3. c. 2.
1 H. 4. c. 12.

Commissions shall be awarded to justices and others to inquire of wears, &c. and to punish offenders.

Every justice shall have four shillings a day for every day that he doth travel.

ITEM, *Because that by wears, stakes, and kidels, being in the water of Thames, and of other great rivers through the realm, the common passage of ships and boats is disturbed, and much people perished, and also the young fry of fish destroyed, and against reason wasted and given to swine to eat, contrary to the pleasure of God, and to the great damage of the King and his people;* (2) the same our lord the King intending to provide a due remedy for the same mischiefs, by the advice and assent of the lords afore said, and at the request of the said commons, doth will and grant, That the statutes thereof made be holden and kept, and put in due execution; (3) joining to the same, That commissions be awarded to certain justices and others, in every county of the realm where need shall be, to inquire of all that which is contained in the said statutes, (4) and to punish the offenders of the same statutes by fine, according to their discretion. Saved always and reserved to the King our lord, the penalties comprised in especial in the said statutes; (5) and that the estreats of such fines be delivered by the said justices to the sheriff of every county by indenture, (6) and that the said sheriff pay of the issues and profits rising of the said estreats to every of the said justices, for every day that he shall travel to execute the said commission, four shillings, and that the said sheriffs have thereof due allowance from time to time in the exchequer.

ITEM pource qe par les gors estakes & kidelx esteantz en leawe de Thamyse & es autres grandes rivers parmy le roialme commune passage des niefs & batelx est destourbez & pleuseurs gentz periz & auxin le joefne peffon destruyte & encontre reson degastez & donez as porcs a mangier encontre la pleissance de Dieu & a grant damage du Roy & de son poeple mesme nostre seignur le Roy veullant mettre due remede sur les meschiefs avaunt ditz de ladvis & assent des seignurs susditz & a la priere des ditz communes voet & grante qe les estatutz ent faitz soient tenuz & gardez & mys in due execution adjoustez a ycelles qe commissions soient faitz a certains justices & autres en chescun countee du roialme ou bufoigne serra denquerre de tout ce qest contentuz en le ditz estatutz & de punir les contrariantz mesmes les estatutz par fyn selonc leur discretions. Sauvez & reservez au Roy nostre seignur les peins comprisez en especiale es ditz estatutz & qe les extretes des tielx fyns soient livregez par les ditz justices as viscontz en chescun countee par indenture & qe les ditz viscontz paient des issues & profitz sourdantz des ditz extretes a chescun des ditz justices pur chescun jour qil travaillera pur exercer la dite commission iiii s. & qe les ditz viscountz ent aient due allowance de temps en temps en le chequer.

CAP. XII.

appropriations of benefices provision shall be made for the poor and the vicar.

EM ordeignez est & estal-
liz qe lestatut de l'appro-
on des esglises & de len-
ment des vicairs en ycel-
lit lan quinziesme le Roy
ARD Second soit ferme-
tenuz & gardez & mys
e execution Et si ascune
: soit approprie par licence
it Roy RICHARD ou de
nostre seignur qorest puis
an xvme contre le forme
it estatut qe ce soit due-
esfourmez selonc leffect
esme lestatut parentre cy
est de pasqe prochein ad-
. Et si tiele reformation
face deins le temps sus-
: les appropriation & li-
ent faitz soient voidez &
out repellez & adnullez
toutz jours forspris les-
le Hadenham en le diocis
la quele pur eschuire plu-
damages discordes & de-
qont este devant ces heu-
arentre levesqe dEly &
leaken dEly sur le xer-
e lour jurisdiction come y
overtement declarez par
e levesqe en presence de
& de seignurs en parle-
nadgairs par licence du
nostre seignur feust appro-
a lerceadeaken dEly & ses
tours pur y faire divines
es hospitalite tenir & au-
harges supporter come as-
Et outre ceo ordeignez
establiz qe toutes les vi-
uniz annexez ou appro-
& les licences ent eues
primer lan le dit Roy
ARD combien qe ceux
uniz annexez ou appro-
tieux vicaries soient en-
tion de mesmes les vica-
L. II. ries

ITEM, it is ordained, That the statute of appropriation of the churches, and of the endowment of vicars in the same, made the fifteenth year of King RICHARD the Second, be firmly holden and kept, and put in due execution; and if any church be appropriated by licence of the said King RICHARD, or of our lord the King that now is, sithence the said fifteenth year against the form of the said statute, the same shall be duly reformed according to the effect of the same statute, betwixt this and the feast of *Easter* next coming. (2) And if such reformation be not made within the time aforesaid, that the appropriation and licence thereof be made void, and utterly repealed and adnulled for ever; (3) except the church of *Hadenham* in the diocese of *Ely*, which for to eschew divers damages, discords, and debates, that have been before this time betwixt the bishop of *Ely* and the archdeacon of *Ely*, upon the exercise of their jurisdiction (as it was openly declared by the same bishop in presence of the King, and of the lords in parliament) was of late appropriated, by the licence of the King our lord, to the archdeacon and his successors, to do divine service, keep hospitality, and to support other charges as pertaineth. (4) Moreover it is ordained and stablished, That all the vicarages united, annexed, or appropriated, and the licences thereof had after the first year of the Plowd. 495.

A confirma-
tion of the
stat. of 15 R. 2.
c. 6. touching
the appropri-
ation of churches.
Cro. Jac. 516.

The church
of Hadenham,
in the diocese
of Ely, appro-
priated to the
archdeacon of
Ely.

All appropri-
ations of vi-
carages made
since the first
year of R. 2.
shall be void.
Plowd. 495.

A vicar endowed shall be a secular man, and not a religious.

CAP. XIII.

A confirmation of the statutes of 1 EDW. 3. stat. 2. (18 EDW. 3. stat. 2. c. 7. and 25 EDW. 3. stat. 5. touching service in war.

ITEM, it is ordained and established, That the statute made the first year of King EDWARD, grandfather to our lord the King that now is, containing, That none shall be constrained to go out of their counties, but only for cause of necessity of sudden coming of strange enemies into the realm; (2) and the statute made the eighteenth year of the said grandfather, That men of arms, hoblors, and archers chosen to go in the King's service out of *England*, shall be at the King's wages from the day they do depart out of the counties where they were chosen; (3) and also the statute made

ITEM ordeignez est & bliz qe lestatut fait lan mere le Roy EDWARD aistre seignur le Roy qorestantenant qe nuls soient distaler hors de leur countenoun pur cause de nece de sodeigne venue destrafnemys en roialme & le fait lan disoetisme du dit agentz darmes hobelers & chiers esluz pur aler en le vice du Roy hors dEngle soient as gages le Roy du qils departiront hors des ctees ou ils fueront esluz & int lestatut fait lan vint & le dit aiel qe nul homme arte de trover gentz d'ar hobelers narchiers autres

ceux qi tieignent par tiel service sil ne soit par commune assent & grante faite en parlement soient fermement tenuz & gardez en toutz pointz parainssi toutes voies qe par force ou colour de la dite supplication ne dascun estatut sur ceo affaire les seignurs nautres qi ont terres & possessions en pais de Gales ou en le marche dicell ne soient en ascun manere excuséz de leur service & devoirs de leurs dites terres & possessions dues ne dascuns autres devoirs ou choses a les quelles ils ou ascuns de eux sont a nostre dit seigneur le Roy especialment obligez combien qe yceux seignurs & autres aient autres terres & possessions dedeinz le roialme d'Engleterre ne qe les seignurs ou autres de quel estat ou condition qils soient qi tieignent par escuage ou autre service due au Roy ascuns terres ou possessions dedeinz le dit roialme ne soient ascunement excuséz de faire les services & devoirs des ditz terres ou possessions dues ne qe les seignurs chivalers esquiers nautres perones de quel estat ou condition qils soient qi tieignent & ont de la grant ou confirmation de nostre dit seigneur le Roy terre possessions fees annutees empenfions ou autres profitz annuels ne soient nascun de eux soit excuséz de leur service affaire a nostre dit seigneur le Roy par tiel manere come ils sont tenuz par cause des terres possessions fees annutees empenfions ou profitz susditz.

the lands, possessions, fees, annuities, pensions, or profits a-fore said. 12 Car. 2. c. 24.

made the twenty-fifth year of the said grandfather, That no man be compelled to find men of arms, hoblers, nor archers, other than those which do hold by such service, unless it be by common assent and grant made in the parliament, shall be firmly holden and kept in all points; (4) so that always by force or colour of the said supplication, nor of any other statute thereupon to be made, the lords, nor any other that have lands and possessions in the country of *Wales*, or in the marches thereof, shall in no wise be excused of their service and devoirs due of their said lands and possessions, nor of any other devoirs or things whereto they or any of them be bound to our lord the King, though that the same lords and other have other lands and possessions within the realm of *England*; (5) nor that the lords, or others, of what estate or condition that they be, which hold by escuage or other service due to the King, any lands or possessions within the said realm, be in no wise excused to do their services and devoirs due of their said lands or possessions; (6) nor that the lords, knights, esquires, nor other persons, of what estate or condition they be, which hold and have of the grant or confirmation of our lord the King, lands, possessions, fees, annuities, pensions, or other yearly profits, be not excused to do their service to our lord the King in such manner as they are bounden because of

All men that hold of the King to do any service in war, shall do the same.

CAP. XIV.

A labourer shall not be retained to work by the week.

Ex edit. Raft.
Labourers.
Carpenter.
Mason.
Tiler.
Plasterer.

ITEM, it is ordained and established, That no labourer be retained to work by the week, nor that no labourers, carpenters, masons, tilers, plasterers, daubers, coverers of houses, nor none other labourers shall take any hire for the holy-days, nor for the evens of feasts, where they do not labour but till the hour of noon, but only for the half day, upon the pain that such labourer, carpenter, mason, tiler, plasterer, dauber, coverer of houses, or any other labourer that taketh contrary to this statute, shall pay to the King for every time that he so doth the contrary, xx s.

Rep. 5 Eliz.
c. 4.

CAP. XV.

Merchants shall bestow their money received upon other merchandises of this realm.

Merchants
shall bestow
their money
received upon
the merchan-
dise of this
realm.

ITEM, it is ordained and established, That all the merchants, strangers, and denizens, which bring merchandises into this realm of England, and the same do sell within the realm, and receive English money for the same, that they shall bestow the same money upon other merchandises of England, for to carry the same out of the realm of England, without carrying any gold or silver in coin, plate, or mass, out of the said realm, upon pain of forfeiture of the same, saving always their reasonable costs.

5 H. 4. c. 9.
27 H. 6. c. 3.
17 Ed. 4. c. 1.
3 H. 7. c. 8.

ITEM ordeignez est & établiz qe toutz les marchantz aliens estranges & denzeins qameinent merchandises en Engleterre & les vendent deins le roialme & la monnoie d'Engleterre pur ycelles receivent qils mettent mesme la monnoie sur autres marchandises d'Engleterre pur les amesner hors du roialme d'Engleterre sanz emporter ascun or ou argent en coigne plate ou masse hors du dit roialme sur peine de forfaiture dicell sauvez toutes foits leur costages raisonnables.

CAP. XVI.*

No person shall carry gold or silver out of the realm without the King's licence.

Ex edit. Raft.
Money.
Gold.
Silver.
Plate.
9 Ed. 3. stat.
2. c. 1.
5 R. 2. stat. 1.
c. 2.
2 H. 6. c. 6.

ITEM, Whereas in divers ordinances and statutes made before this time, it was ordained and established, That no man, of what state or condition he be, shall bring no money, nor do to be brought gold nor silver in money, plate nor vessel out of the realm of England, without special licence of our sovereign lord the King: and because the same statutes and ordinances be very profitable and available for him, and for all his realm, if they were put in due execution, the same our sovereign lord the King, by the advice and assent of the lords aforesaid, and at the especial prayer of the said commons, hath ordained and established, That

* This chapter is misplaced in the printed editions, and upon the roll follows c. 34.

That the said ordinances and statutes be holden and kept, and put in due execution. And if any person of what estate or condition that he be, bring or send, or do to be brought or sent, gold or silver in money, vessel or plate, out of the said ream, without the King's especial licence, except for his reasonable expences, as aforesaid. And he that can espy the same, upon a full and lawful certification thereof to be made to the barons of the exchequer of our sovereign lord the King, shall have the third part of such thing so espied for his travail, *to endure to the next parliament.*

CAP. XVII.

Infants are not to be received into the order of friars without the consent of their parents, &c.

ITEM, it is ordained and established, That no friar of the four orders, that is to say Friar Minors, Augustines, Preachers, and Carmelites, from henceforth shall take nor receive any infant into their said order, unless he be entered into the age of xiiii. years, without the assent of his father and mother, or other his next friends of blood, or other his friends or tutors, in whose ward or custody such infant shall be continually conversant and abiding. And that no such friar of none of the said orders, bring, embezzle, nor eloigne, nor do to be brought, embezzled, nor eloigned by himself nor by none other, such infant, out of the place where he shall be first taken or received, to any other place, by an whole year next ensuing such taking or receipt into the said order. And if any such infant be so taken, received, or withholden against the will of his said father and mother, or of his other friends or tutors aforesaid, or if he be brought, imbezzled or eloigned from the place where he shall be so first taken or received, to any other place, and the same fathers or mothers, or other his friends or tutors aforesaid, have made request to the master provincial, warden or prior of the same order, in the place where the said infant is or shall be so taken, received, or withholden, and they will not make delivery of the same infant to his said father or mother, or other his friends and tutors aforesaid: the same father or mother, or other friends or tutors aforesaid, shall sue to the chancellor of *England* for the time being, and the same chancellor shall have power by authority of parliament, to send for the ministers or provincials of the said four orders, warden or prior of the place where such infant shall so be taken, received, or withholden from time to time, and them to punish after the discretion of the said chancellor, and according as the case requireth in this behalf. And to the intent that this statute and ordinance shall hold place for ever, friar *John Zouch*, minister of the order of the friars Minors in *England*: friar *William Pikeworth*, provincial of the order of the friars Preachers in *England*: friar *William de Wellie*, provincial of the order of the friars Augustines in *England*: friar *Stephen of Paddington*, provincial of the order of friars Carmelites in *England*, being in their proper persons before the King, and

Friars.

Chancellor.

The lords spiritual and temporal, and the commons of the realm in the full parliament, laying their right hands on their breasts, made an oath, and promised in the same parliament, to hold, keep, observe, and perform the statute and ordinance aforesaid, for them and their successors for ever.

CAP. XVIII.

The punishment of an attorney found in default.

What sort of men shall be attorneys.

4 Inst. 76.

2 Geo. 2. c. 23.

ITEM, for sundry damages and mischiefs that have ensued before this time to divers persons of the realm by a great number of attorneys, ignorant and not learned in the law, as they were wont to be before this time; (2) it is, ordained and stablished, That all the attorneys shall be examined by the justices, and by their discretions their names put in the roll, and they that be good and virtuous, and of good fame, shall be received and sworn well and truly to serve in their offices, and especially that they make no suit in a foreign county; and the other attorneys shall be put out by the discretion of the said justices; (3) and that their masters, for whom they were attorneys, be warned to take others in their places so that in the mean time no damage nor prejudice come to their said masters. (4) And if any of the said attorneys do die, or do cease, the justices for the time being by their discretion shall make another in his place, which is a virtuous man and learned, and sworn in the same manner as afore is said; (5) and if any such attorney be hereafter notoriously found in any default of record, or otherwise, he shall forswear the court, and never after be received to make any suit in any court of the King. (6) And that this ordinance be holden in the exchequer after the discretion of the treasurer and of the barons there.

The punishment of an attorney found greatly in fault.

ITEM pur plusieurs damages & meschiefs qont advenuz devaunt ces heures as diverses gentz du roialme par le grant nombre des attournees nient sachantz naprises de la loye come ils soloient estre pardevant ordeignez est & establiz qe toutz les attournees soient examinez par les justices & par leur discretions leur nouns mys en rolle & ceux qi sont bons & vertueuses & de bone fame soient receux & jurrez de bien & loialment servir en leur offices & en especial qils ne facent nulle fuyte en foreins countee & soient les autres attournees oustez par la discretion des ditz justices & qe leur mestres ove queux ils feurent attournees soient garniz de prendre autres en leur lieux parens qe le mesme temps damage ne prejudice adviegne a leur ditz mestres. Et si auoun des ditz attourneez devie ou cesse qe les justices pur le temps estantz par leur discretions facent autre en son lieu qi soit homme vertuous & sachant & jurrez en mesme le manere come dessus. Et si aucun tiel attournee soit noitoremient trovez en default de record ou autrement en temps advenir qil forsuir la courte & qe jammais il ne soit resceuz nulle suite faire en aucune countee de Roy & qe mesme ceste ordinance soit tenuz en leschequer selonc la discretion del tresorier & des barons illoques.

CAP.

CAP. XIX.

No officer of a lord of a franchise shall be attorney in the same.

ITEM ordeignez est & establiz qe nul seneschall bailif ne ministre des seignurs des franchises qont retourne du brief soit attornee en nul plee deinz la franchise ou baillie dont il est ou serra tiel officer ou ministre en aucun temps advenir.

ITEM it is ordained, That no steward, bailiff, nor minister of lords of franchises, which have return of writs, be attorney in any plea within the franchise or bailiwick whereof he is or shall be officer or minister, in any time to come.

No officer of a lord of a franchise shall be attorney within the same.

CAP. XX.

Customers, controllers, &c. shall abide upon their office, and make no deputies; and every customer shall be sworn to answer the King all profits.

ITEM ordeignez est & establiz qe lestatut fait lan primer le Roy nostre seigneur qoreist de ce qe les customers & controllours en chescun port dEngleterre demoergent sur leur offices en leur propres persones sanz aucun deutee ou lieutenant faire en leur nouns soit fermement tenuz & gardez en toutz pointz adjoustez a ycel qe a ce faire ils soient jurrez de temps en temps sur peine demprisonement de paier au Roy C li. fils facent le contraire. Et auxint accordez est & assentuz qe le lieutenant du chief botiller du Roy & le sercheour soient residentz en mesme la manere & sur mesme la peine de C li. a paiere lun moitee a nostre seigneur le Roy & lautre moitee a celui qi voet fuir pur mesme nostre seigneur le Roy devers tieux customers controllours lieutenant ou sercheour nient residentz. Et qe chescun customer desore enavaunt sur son accompt rendre en leschequer soit jurrez par son serement de respondre loialment a mesme nostre seigneur le Roy sanz fraude ou male engine des toutz maners

ITEM it is ordained and established, That the statute made in the first year of our lord the King that now is, That customers and controllers in every port of *England* shall abide upon their offices in their proper persons, without making any deputy or lieutenant in their names, be firmly holden and kept in all points; (2) joined to the same, That they shall be sworn to do the same from time to time upon pain of imprisonment, and to pay to the King an C l. if they do contrary. (3) Also it is accorded and assented, That the lieutenant of the King's chief butler, and the searcher, shall be resident in the same manner, and upon the same pain of an C l. to pay the one half to our lord the King, and the other half to him that will sue for the same against such customers, controllers, lieutenant, or searcher, not resident; (4) and that every customer from henceforth, upon the yielding of his account in the exchequer, be sworn by his oath to answer lawfully to the same lord the

1 H. 4. c. 13.

Customers and controllers shall continue upon their offices and be sworn thereunto.

13 H. 4. c. 5. The lieutenant of the King's butler and searcher shall continue upon their offices.

13 H. 6. c. 3. Every customer shall be sworn upon the yielding of his account.

Merchandise
shall be charg-
ed and dis-
charged in
ports, and not
in creeks.
11 H. 6. c. 15.
1 El. c. 11. l. 8.

King, without fraud or deceit, of all manner of profits and commodities for the payment of any assignment, be it by tail, or in any other manner whatsoever. (5) And that all manner merchandises entering in the realm of *England*, or going out of the same, shall be charged and discharged in the great ports of the sea, and not in creeks and small arrivals, upon pain to forfeit all the merchandises so charged or discharged to our lord the King, except vessels or merchandises arriving in such little creeks and arrivals by coercion of Tempest of the sea.

maners profitz & commoditees pur paiement dascun assignement soit il par taille ou autrement par lui ou aucun autre receveur ou a receveurs par achate dascun taille ou en autre manere queconque. Et que toutz maneres des marchandises entrantz en la roialme d'Engleterre ou issantz dicell soient chargez & deschargez en les grantz portz du mier & nemye en crykes & petitz arrivails sur peine des toutes les marchandises issint chargez ou deschargez a nostre seigneur le Roy faire forspis vesseux ou marchandises appliantz en tieux petitz crykes & arrivails par coercion de la tempeste du mier.

CAP. XXI.

Searchers shall not let any their offices to ferm, or occupy them by deputy.

13 H. 4. c. 5.
Searchers shall
not let their
offices to ferm,
nor occupy
them by
deputy.

ITEM, it is ordained and established, That the searchers in every port of *England* shall be charged and sworn, that they shall not let to ferm their offices of searching, nor occupy the same by a deputy; (2) and that from henceforth they take of no masters of ships for their office of searching, any silver or money for their welcome and farewell, nor any other thing for the same, as it hath been taken and received before this time, otherwise than shall be ordained to them for their office by our lord the King; (3) and that no searcher be host to any merchant or mariner. (4) And in case that any searcher do contrary to this statute, and that duly proved, the same searcher shall be put out of his office for ever, and make fine and ransom at the King's will.

ITEM ordeignez est & establi. que les sercheours en chescun port d'Engleterre soient chargez & jurrez qils ne lessent a ferme leur office de sercheie ne les occupient par deputees et qils ne preignent desore enavant de nulles mestres des niefs de leur office de sercherie faire nul argent ne monnaie pur leur bienvenuz & bienalees ne nul autre chose pur ycell come il ad este pris & levez devant ces heures autrement que ne serra ordeignez a eux pur leur office par nostre seigneur le Roy. Et que nul sercheour soit host a nul marchand ne maryner. Et en cas qascun sercheour face le contrair de cest estatut & ce quement provee soit mesme le sercheour ouste de son office pur toutz jours & face syn & rancon a la volentee du Roy.

This Chapter follows Cap. XVI. on the roll.

CAP.

CAP. XXII.

remedy where by the King's presentation any Incumbent is put forth.

EM come ordeigne soit par statut fait lan vint & quint : Roy EDWARD aiel noster seignur le Roy qe si le ferra collation ou present a nulle benefice en auoit qe le tittle sur qi il sera serroit bien examine roit verrai & a quel heure tant juggement rendu le soit trove par bone enforment nient verroi ne joust a collation ou presentement faitz repellez & anulle. Et en outre soit ordeigne abli en estatut fait apres nps du Roy RICHARD qe loy presente a ascun benefice qi soit plein dascun incumbent qe le presentee le Roy ait rescue par lordinarie le Roy eit recoverez son itement par proces de ley courte demesne & si apresentee du Roy soit aut rescue & le incumbent sanz due proces come est dit commence le dit incumbent sa suyte deinz un an la induction de presentee oy noster seignur le Roy erant le grant meschief t incumbent celle partie leigne & establi de lassaunt dit qe si aucun tiel incumbent soit ouste de son ce sanz processe en la maniere qe le dit incumbent issint ouste sanz prouisse estre a large & fuir lie par le dit estatut & rcer sa dite seute en ce quel temps qe luy plerra lan ou apres a sa volente sibien pur temps passe pur temps advenir nient con-

ITEM, *Whereas it is ordained by the statute made the twenty-fifth year of King EDWARD, grandfather to our lord the King, that if the King make collation or presentment to any benefice, in another's right, that the title whereupon he groundeth him should be well examined that it be true; (2) and at what time, before judgment given, the title be found by good information untrue and unjust, the collation or presentment thereof made, shall be repealed and annulled. (3) And moreover, in a statute made after in the time of King RICHARD, it was ordained and established, That if the King present to any benefice that is full of any incumbent, that the King's presentee shall not be received by the ordinary, till the King hath recovered his presentment by process of the law in his own court; (4) and if any presentee of the King be otherwise received, and the incumbent put out without due process, as afore is said, the same incumbent shall commence his suit within a year after the induction of the presentee: (5) our lord the King considering the great mischief of the incumbent in this behalf, hath ordained and established, by the assent aforesaid, That if any such incumbent be put out of his benefice without due process in the manner aforesaid, that the said incumbent so put out without process, may be at large, and sue for his remedy by the said statute, and begin his suit in this case at what time shall please him, within the year, or after, at his will;*

²⁵Ed. 3. stat. 3.
c. 3.

¹³R. 2. stat. 1.
c. 1.
¹Mod. 279.

will; and that as well for the time past, as for the time to come, notwithstanding the term so limited by the said statute.

CAP. XXIII.

Judgments given shall continue until they shall be reversed by attaint or error.

Dyer, 315, 321, 376.
Cro. Jac. 335, 343.
3 Bulstr. 42, 47, 115.

Judgments given in the King's courts shall continue until they are reversed by attaint or error.

12 Co. 64.
Dr. and Stud. c. 18.

ITEM, Where as well in plea real as in plea personal, after judgment given in the courts of our lord the King, the parties be made to come upon grievous pain, sometime before the King himself, sometime before the King's council, and sometimes to the parliament, to answer there of new, to the great impoverishing of the parties aforesaid, and in the subversion of the common law of the land; (2) it is ordained and stablished, That after judgment given in the courts of our lord the King, the parties and their heirs shall be thereof in peace, until the judgment be undone by attaint or by error, if there be error, as hath been used by the laws in the times of the King's progenitors.

This Chapter follows Cap. XXI. on the Roll.

CAP. XXIV.

Aulnage of cloths may be let to ferm by improveme

Ex edit. Pult.
The aulnage may be set to ferm or improved.
Dy. 303.
17 R. 2. c. 2.
31 H. 6. c. 5.
11 W. 3. c. 20.

ITEM, whereas late in the time of King Richard the it was ordained by a statute, that the aulnage of through the realin should not be set to ferm, to the gramage of the King yearly: it is ordained and accorded said parliament, That the said aulnage may be set to ferm provement according to the discretion of the treasurer of for the time being, and of the barons of the excheque withstanding the said statute made to the contrary.

CAP. XXV.

An hostler shall not make horse-bread. How much take for oats.

Cro. Jac. 609.
The penalty on an hostler which offendeth contrary to the stat. of

ITEM, it is ordained and stablished, That the statute of Iers and hostlers, and other sellers of victuals, made t year of the said King Richard, be holden and kept and due execution, and if any hostler do to the contrary, at duly proved, the same hostler shall from time to time in

penalty of the treble value of the bread made by him in his house or elsewhere contrary to the said statute: and also the same hostler shall incur the quatreble value of that which he hath taken over an halfpeny of every bushel of oats above the common price in the market, and that as well at the suit of the King as of the party.*

this statute as concerns the execution of the stat. of 13R. 2. stat. 1. c. 8. relating to horse bread is repealed by 21 Jac. 1. c. 28.

13R. 2. stat. 1. c. 8.
How much an hostler may gain by a bushel of oats.
12 H. 8. c. 41.
* So much of

CAP. XXVI.

Englishmen shall not be convict by Welshmen in Wales.

ITEM, it is ordained and stablished, That no *Englishman* liege to our sovereign lord the King, be convict of any *Welshman* within franchise or without in any county, hundred, or court within the land of *Wales*, of whatsoever estate, but by *Englishmen* and of the next venue, and people of good fame and not procur'd, nor that the *English* burgessees, which have married *Welshwomen*, have franchises with the *English* burgessees.

Ex edit. Rast.
Welshmen.
Wales.
Rep. 21. Jac. 1. c. 28.

CAP. XXVII.

There shall be no wasters, vagabonds, &c. in Wales.

ITEM, to eschew many diseases and mischiefs, which have happened before this time in the land of *Wales*, by many wasters, rhymers, minstrels, and other vagabonds: it is ordained and stablished, That no waster, rhymers, minstrel, nor vagabond be in any wise sustained in the land of *Wales*, to make commorthies or gathering upon the common people there.

Wales.
Altered by
26 H. 8. c. 6.
27 H. 8. c. 26.

CAP. XXVIII.

There shall be no congregations in Wales.

ITEM, it is ordained and stablished, That no congregations be made nor suffered to be made by the *Welshmen* in any place of *Wales*, for to make or take any counsel, unless it be for an evident and necessary cause, and by licence of the chief officers and ministers of the same seigniory, where such thing shall be done, and in the presence of the same officers and ministers, upon pain of imprisonment and to make fine and ransom at the King's will.

Congregation.
Wales.
Rep. 21. Jac. 1. c. 28.

CAP. XXIX.

Welshmen shall not be armed.

ITEM, it is ordained and established, That from henceforth no man be armed nor bear defensible armour to merchant towns churches nor congregations in the same, nor in the highways, in affray of the peace or the King's liege people, upon pain of imprisonment, and to make fine and ransom at the King's will, except those which be lawful liege people to our sovereign lord the King.

Armour.
Altered
26 H. 8. c. 6.
27 H. 8. c. 26.

CAP. XXX.

No victual or armour shall be carried into Wales.

Victual.
Armour.
Wales.

Rep. 21. Jac. 1.
c. 28.

ITEM, it is ordained and stablished, That no *Englishman* nor *Welshman* of what estate or condition that he be, send or bring by colour of merchandise or otherway, any victual or armour to any parts of *Wales*, without the special licence of our sovereign lord the King or of his council, unless it be for stuffing or enstoring of castles and *English* towns, upon pain of forfeiture of the same victuals and armour, and that in every part of the marches of *Wales* and towns of the marches, there be *English* constables for to enquire, search, and arrest all such victuals and armour, and the same constables for their travel shall have the sixth part of such forfeitures so by them found.

CAP. XXXI.

A Welshman shall not have any house of defence.

Welshmen.

Rep. 21. Jac. 1.
c. 28.

ITEM, it is ordained, and established, That no *Welshman* shall have castle, fortress, nor house defensive of his own nor of other to keep, otherwise than was used in the time of King *Edward* conqueror of *Wales*, upon pain of forfeiture of the same. Except bishops and other temporal lords for their own bodies.

CAP. XXXII.

No Welshman shall be an officer.

Welshmen.

Wales.

Rep. 21. Jac. 1.
c. 28.

ITEM, it is ordained, That no *Welshman* be made justice, chamberlain, chancellor, treasurer, sheriff, steward, constable of castle, receiver, eschetour, coroner, nor chief forester nor other officer, nor keeper of the records, nor lieutenant in any of the said offices in no part of *Wales*, nor of the council of any *English* lord, notwithstanding any patent made to the contrary with this clause (non obstante quod sit Wallicus natus) except bishops in *Wales*, and of those and other whom the King our sovereign lord hath found his good and lawful liege people he will to be advised by his council.

CAP. XXXIII.

Castles and walled towns in Wales shall be kept by Englishmen.

Wales.

Rep. 21. Jac. 1.
c. 28.

ITEM, for the more sufficient custody of the land of *Wales*, and to the intent that a man may have the better knowledge of the condition of the people there: it is ordained and stablished, That the garrisons of the castles and walled towns there, be purveyed and stored sufficiently of valiant *English* persons strangers to the seignories where the said castles be set, and not of any man mixt of the said parties or seignories in *Wales*, or the marches of the same, till the said land of *Wales* be otherwise justified and appealed for the time to come.

CAP. XXXIV.

No English Man that marieth a Welsh Woman shall be in any office in Wales.

ITEM, it is ordained and stablished, That no *Englishman* married to any *Welshwoman* of the amity or alliance of *Owen ap Gleindour*, traitor to our sovereign lord, or to any other *Welshwoman* after the rebellion of the said *Owen*, or in that time to come marieth himself to any *Welshwoman*, be put in any office in *Wales* or in the marches of the same. Rep. 21. Jac. 1. c. 28.

CAP. XXXV.

Shoemakers and cordwainers may tan leather, notwithstanding the statute of 13 RICH. II. stat. 2. c. 12.

ITEM, whereas in the statute made the thirteenth year of King *Richard* the Second amongst other things it was ordained, That no shoemaker, nor cordwainer, should use the mystery of tanner, and that he which did contrary, should forfeit all the leather so tanned, and all the boots so wrought, and moreover to be ransomed at the King's will. And because that our sovereign lord the King hath perceived, that there is great damage and deceit diversly by colour of the said statute, as by the petition of the commons delivered to him in the same parliament it may appear: the same our sovereign lord the King, by the advice and assent of the said lords, and at the prayer of the same commons, will and hath ordained, That the shoemakers and cordwainers may tan leather as they have used in time past, notwithstanding any statute made to the contrary, so that the leather, which shall be hereafter tanned, as well by the tanners as by the shoemakers and cordwainers aforesaid, be assayed and marked with a mark of iron thereto to be limited by the mayor or bailiffs, constable or chief wardens, of the town where such leather shall be wrought, or by any their deputy, to do the same by his oath, before that such leather be sold or set to sale, or set to any workmanship. And if any leather be sold or set to sale, or set to any workmanship against the form aforesaid, that then it shall be forfeit to the King. And that this statute be put in assay and hold place till the next parliament. Shoemaker.
Cordwainer.

Rep. 5 Eliz.
c. 8. & 1 Jac. 1.
c. 22.

Statutes made at *Westminster*, Anno 5 HEN. IV.
and *Anno Dom.* 1403.

PUR remedier & recoverir
pleuseurs mescheifs dama-
ges & grevances monstrez a nos-
tre souveraine seigneur le Roy en
son parlement tenuz a Westm'
lendemaine de seint Hiller lan
de son regne quint mesme nos-
tre

FOR to remedy and redress di-
vers mischiefs, damages, and
grievances, shewed to our lord the
King in his parliament holden at
Westminster the morrow after
St. Hillary, the fifth year of his
reign; the same our lord the King,
by

by the advice and assent of his lords spiritual and temporal, and at the request of his commons of his realm of England, come to the same parliament, hath ordained and stablished divers statutes and ordinances in the form as followeth.

tre seigneur le Roi de ladvis & assent des seignurs espirituelx & temporelx & a la requeste des communes de son roialmedEngleterre venuz a dit parlemen ad ordeigne & establiz diverses estatutz & ordinances en b fourme genseute.

CAP. I.

Lands assigned to certain traitors to the use of others shall not be forfeited to the King.

Ex edit. Raft.

FIRST that none of the manors, lands, or tenements, whereof Sir Henry Percy, or Sir Thomas Percy earl of Worcester, or other traitors, which were at the battle of Shrewsbury against our sovereign lord the King and their liegeance, were seised, or any of them were seised jointly with other or only by themselves, of the feoffment of other to another's use, or for the great trust that people which them did enfeof, had to them to do and perform their will, and whereof they were not enfeofed to be inherit, but to perform the will of their feoffors in any parcel of the same manors, lands, or tenements, how well the such feoffments be made by fine or otherwise, without shewing a deed proving the condition, shall be in any wise forfeit to our sovereign lord the King. And if any gifts or grants be made by our said sovereign lord the King of the said manors, lands, or tenements, or any parcel of the same, or otherwise: that such gifts or grants be wholly void for ever and of no value, and that our sovereign lord the King have the forfeiture of the lands and tenements of the said Sir Henry and Sir Thomas, and of the other traitors aforesaid, which they or any of them were wa by themselves or severally inheritable by descent or by rightful purchase, or whereof other were enfeofed jointly with them, or other only to their use by fine or any other manner, whatsoever it were.

7 H. 4. c. 5.

CAP. II.

The penalty of him which procureth pardon for an approver that committeth felony again.

ITEM, because that divers common and notorious felons be indicted of divers felonies, murders, and rapes in divers countries, and upon the same, as well before the King's justices, as before the King himself, arraigned of the same felonies, and for safeguard of their lives they become provers, to such intent, that in the meantime by brokage, grants, and gifts to be made to divers persons to pur-

sue

ITEM porce qe plusieurs communes & notoires larsnes sont caditez des diverses felonies murders & rapes es diverses païs & sur ycelles auxibien devant les justices nostre seigneur le Roy come devant le Roy mesmes & aretuez des mesmes les felonies & pur salvation de leur vies ils deiveignent provours a tiel entent qen le mesme temps par brocage & grauntz douns

faire as diverses gentz de
& avoir lour chartres &
ores lour deliverance ils
sont plus fortz notoires
qu'ils ne furent pardevant
cez est & establisz qe si
personne de quel estat ou
on qil soit homme ou
prie ou pursuee ou face
un pursuir desore enavant
un tiel laron issint atteint
conissance demesme pur
chartre de pardon avoir
oun de celui ou cele q
tiel chartre soit mys en
la chartre faisant men-
mesme la chartre est
a son instance et si celui
chartre est grante apres
erance devient laron qe
ensui pursua pur sa char-
bourg la peyne de cent
a lever al oeps nostre dit
le Roy.

sue and have their charters, and then after their deliverance they become more notorious felons than they were before; (2) it is ordained and stablished, That if any person, of what estate or condition that he be, man or woman, pray or pursue, or cause to be prayed or pursued from henceforth, for any such felon so attained by his own confession, to have any charter of pardon, that the name of him or her that pursueth such charter be put in the same charter making mention that the same charter is granted at his or her instance; (3) and if he to whom such charter is granted, after his deliverance becometh a felon again, that the same person which did so pursue for his charter, shall incur the pain of an C. li. to be levied to the King's use.

The penalty of him who doth procure pardon for an approver that committeth felony again.

CAP. III.

as shall be made upon the coasts as they were wont to be.

Mordeignez est & esta-
blez les agaites affaires sur
du muer partout le roial-
ment faitz par nombre des
es lieux & en fourme &
come ils soleient estre
en temps passe & qen ce
statut de Wyncestre soit
& gardez & qen les com-
tes de la paix desore af-
oit mys cest article Et
justices de la paix aient
sient faire inquisition en
ssion de temps en temps
unir ceux q sont trovez
ut solonc le tenure du
tut.

ITEM it is ordained and stablished, That the watch to be made upon the sea-coast through the realm shall be made by the number of the people, in the places, and in manner and form, as they were wont to be made in times past, and that in the same case the statute of *Winchester* be observed and kept; (2) and that in the commissions of the peace hereafter to be made this article be put in, That the justices of peace have power thereof to make enquiry in their sessions from time to time, and to punish them which be found in default after the tenor of the said statute.

13 Ed. 1. stat. 2. c. 4. Cro. Eliz. 204. Watches shall be made upon the sea-coast as they had wont to be.

CAP. IV.

It shall be felony to use the craft of multiplication of gold or silver.

3 Inst. 74.
Rep. by 1 W.
& M. ff. 1. c. 30.

ITEM it is ordained and stablished, That none from henceforth shall use to multiply gold or silver, nor use the craft of multiplication; and if any the same do, *and be thereof attaind*, that he incur the pain of felony in this case.

CAP. V.

It shall be felony to cut out the tongue, or pull out the eyes of the King's liege people.

Kelyng, 65.

Cutting of
tongues.
Putting out of
eyes felony.

22 & 23 Car. 2.
c. 1.

ITEM, *because that many offenders do daily beat, wound, imprison, and maim divers of the King's liege people, and after purposely cut their tongues, or put out their eyes;* (2) it is ordained and stablished, That in such case the offenders that so cut tongues, or put out the eyes of any the King's liege people, and that duly proved and found, that such deed was done of malice prefensed, they shall incur the pain of felony.

ITEM porce qe plusieurs malfaisours de jour en autre batent naufrent emprisonent & maheyment plusieurs des liges nostre seignur le Roy et puis de purpos coupent leur langes ou oustent leur oils ordeignez est & establez qen tiel cas les malfaisours qensi couperont les langes ou ousteront les oils d'aucuns des liges nostre dit seignur le Roi & ceo duement troverez & provez qe tiel fait fust fait de malice purpense encourgent la peine de felonie.

CAP. VI.

The penalty for making an assault upon any servant of any knight in parliament.

11 H. 6. c. 11.

The penalty
of him who
maketh assault
upon the ser-
vant of any
knight or
burgess of the
parliament.

ITEM, *because that Richard Chedder, esquire, which was come to this parliament with Thomas Broke knight, one of the knights chosen to the same parliament for the county of Somerset, and menial servant with the said Thomas, was horribly beaten, wounded, blemished, and maimed by one John Salage, otherwise called John Savage;* (2) it is ordained and stablished, That seeing the same horrible deed was done within the time of the said parliament, that proclamation be made where the same horrible deed was done, That the said John appear and yield him in the King's bench within a quarter of a year after

ITEM porce qe Richard Cheddre esquier qi feust venuz a cest present parlement ovesqe Thomas Brook chivaler un des chivalers esluz a mesme le parlement pur le countee de Somers^t & meynal ove le dit Thomas feust horriblement batuz naufrez emblemiz & mayheymiz par Johan Salage autrement appelez Johan Savage ordeignez est & establiz qe par tant qe le dit horrible fait feust fait deinz le temps du dit parlement qe proclamation soit fait la ou mesme le horrible fait se fist qe la dit Johan appierge & soy rende en bank le Roy deinz un quarter dun an apres la proclamation faite et sil ne le face

ne celuy Johan atteint
suisdit & paie au par-
magee ses damages a
a taxer par discretion
s du dit bank pur le
teantz ou par enquest
soigne & face syn &
la volente du Roy. Et
accordez est en dit
it qe semblablement
en temps avenir en cas

the proclamation made; (3)
and if he do not, the same *John*
shall be attainted of the said
deed, and pay to the party
grieved his double damages, to
be taxed by the discretion of
the judges of the said bench
for the time being, or by in-
quest, if need be, (4) and also
he shall make fine and ransom
at the King's will. (5) More-
over it is accorded in the same
parliament, that likewise it be
done in time to come in like
case.

C A P. VII.

*ut strangers shall be used in this realm, as denizens be
in others.*

ordeignez est & esta-
le toutz les marchantz
quell estat ou conditi-
oient venantz demur-
repaillantz deinz le
Engleterre soient trai-
nefnez deinz mesme le
en manere forme &
come les marchantz
sont ou serront traite-
nez es parties depar
peine de forsfaire au
z les biens & chateux
marchantz aliens & sur
prisonement des corps
s les marchantz aliens,

ITEM, it is ordained and es-
tablished, That all the mer-
chants strangers, of what estate
or condition that they be, com-
ing, dwelling, or repairing with-
in the realm of *England*, shall
be entreated or demeaned with-
in the same realm in the man-
ner, form, and condition, as
the merchants denizens be, or
shall be entreated or demeaned
in the parts beyond the sea, (2)
upon pain to forfeit to the
King all the goods and chattels
of such merchants strangers,
(3) and upon pain of impris-
onment of the bodies of such
merchants strangers,

Merchants
strangers shall
be used
in this realm
as merchants
denizens be in
other realms,
9 H. 3. stat. 3.
C. 10.
9 Ed. 3. stat. 1.
C. 1.
25 Ed. 3. stat. 4.
C. 2.
2 R. 2. stat. 1.
C. 1.
11 R. 2. c. 7.
4 H. 5. c. 5.

C A P. VIII.

*cases the defendant may be allowed to wage his law,
or plead to an inquest.*

pur eschuer diverses
niefs queux ount estez
e jour en autre sibien
citee de Londres come
tres citees & ailours
roialme dEngleterre de
verses feyntes suytes de
t este prises sibien par
s ditz citees come de
levers plusours gentz
I. surmettantz,

ITEM, to eschew divers mis-
chiefs which have been and be
from day to day, as well within the
city of London, as within other
cities and other places within the
realm of England, (2) for that
divers feigned suits of debt have
been taken, as well by the people
of the said cities as of other places,
against divers people, surmising to
G g them

them by their said suit, that they had made accompt before auditors assigned, of divers receipts, duties, and contracts had betwixt them, and that they were found in arrearages upon the same accompt in divers great sums, (3) suggesting by the same suits sometime their apprentices, and sometime other of their servants, to be the auditors, where there was never receipt nor duty betwixt such parties, and where the said apprentices nor servants did any thing know of such accompt, to the intent to cause them, against whom such suits were taken, to put them in inquest in the same suits, and to put them from the waging of their law in such case; (4) by reason whereof, by such favourable inquests taken thereupon of the neighbours of those which have prosecuted such suits, divers have been condemned in great sums, to the great impoverishing and undoing of them; (5) it is ordained and established, That the justices in the King's courts, and other judges, before whom such suits and actions in all such cases in cities and boroughs shall be sued and taken, shall have power to examine the attorneys, and others whom please them, and thereupon to receive the defendants to their law, or to try the same by inquest, after the discretion of the justices and judges aforesaid.

Dyer, 145.

Keilw. 82 b.
In what cases the judges may allow the defendant to wage his law, or to plead to an inquest.

surmettantz a eux par leur suite qils duissent avoir accomptez devaunt auditours assignez de diverses rescites duetees & contractz parentre eux eues & qils feurent trovez en arrearages sur mesme lacompt en diverses grandes sommes surmettantz par mesmes les suites aucun foitz leur apprentices & aucun foitz autres de leur servantz estre les auditours la au il navoit unques aucun rescite ne duetee parentre tielx parties & la ou les ditz apprentices ne servantz riens ne savoient de tiel accompt al entent pur faire eux devers queux tielx suites furent prises de eux mettre en enqueste en mesmes les fuytes & de eux oustier de la gagier de leur ley en tiel cas par ont plusieurs parties tielx favorables enquestes sur ceo prises de les veifyns de ceux qi ont prises tielx suites ont este condempnez en plusieurs grandes sommes en graunt arrissement & destruction de eux ordeignez est & establi qe les justices en les courtes du Roy & autres juges devant queux tielx suites & actions seront en toutz tielx cases en cities & burghs & prises & suites eient poair d'examiner les attournes & autres queux leur semblera et sur ceo de recevoir les defendantz a leur loie ou de le trier par enqueste selonc les discretions des justices & juges avaunt ditz.

CAP. IX.

Merchants aliens shall employ their money upon the commodities of this realm.

In part repealed by 6 H. 4. c. 4.
4 H. 4. c. 15.
27 H. 6. c. 3.
4 Ed. 4. c. 6.
17 Ed. 4. c. 1.
3 H. 7. c. 8.

ITEM, for the better keeping of gold and silver within the realm of England, and for the increase of the commodities of the said realm, (2) it is ordained and established, That the statutes there-

ITEM pur meultz garder or & argent deinz le roialme d'Engleterre & pur l'increce de les commoditees du dit roialme ordeignez est & establi qe les estatutz ent faitz au darrein parlement

lement soient tenuz & gardez & mys en due execution ajoustant a ycelles qe les custumers & countrerollours nostre seigneur le Roi es toutz les portz d'Engleterre preignent suffisiente seurte pur toutz maners de merchandises amefnez par les marchantz aliens & estranges venantz & repairantz es ditz portz ou fyn qe la monoie prise pur les ditz merchandises sera emploiez sur les commoditees du roialme sauvent leur custages raisonnables come en le dit estatut est contenuz plus au plein. Et outre ceo ordeignez est & establi qe les ditz marchantz aliens & estranges vendent leur ditz merchandises ensy apportez deinz le dit roialme deinz un quartere dun an prochein apres leur venue en yoell et auxi qe la monoie qe sera delivree par eschaunge en Engleterre soit emploiez sur commoditees de mesme le roialme deinz icell roialme sur peyne de forfaiture dicelle monoie. Et qe null marchant alien estrange vende null manere de merchandises a autre marchant alien ou estrange sur peyne de forfaiture de mesme la merchandise. Et auxi ordeignez est & establi qe chescun citee ville & port du meer d'Engleterre ou les ditz marchantz aliens & estranges sont ou seront repairantz soient assignez a mesmes les marchantz suffisiantz hostes par le maires viscontz ou baillifs de ditz citees villes & portz du meer & qe les ditz marchantz aliens & estranges ne soient demurrantz en autre lieu sinon oveqz les ditz hostes ensy a assigners et qe mesmes les hostes ensy assigners preignent pur leur travail

thereof made at the last parliament, shall be continued and kept, and put in due execution;

(3) joined to the same, That Merchants the customers and controllers of strangers shall put in sureties to employ their money upon the commodities of this realm.

our lord the King; in all the ports of *England*, shall take sufficient sureties for all manner of merchandises brought by the merchants aliens and strangers, coming and repairing to the said ports, to the intent that the money taken for the said merchandise shall be employed upon the commodities of the realm, saving their reasonable cost, as in the same statute more fully is contained. (4) And moreover it is ordained and established, That the said merchants aliens and strangers shall sell their said merchandises so brought within the said realm, within a quarter of a year next after their coming into the same; and also that the money, which shall be delivered by exchange in *England*, be employed upon the commodities of the realm, within the same realm, upon pain of forfeiture of the same money. (5) And that no merchant alien nor stranger sell any manner of merchandise to any other merchant alien or stranger, upon pain of forfeiture of the same merchandise.

Within what time merchants aliens shall sell their merchandise,

One alien shall sell no merchandise to another alien.

(6) And also it is ordained and established, That in every city, town, and port of the sea in *England*, where the said merchants aliens or strangers be, or shall be repairing, sufficient hosts shall be assigned to the same merchants, by the mayor, sheriffs, or bailiffs of the said cities, towns, and ports of the sea; (7) and that the said merchants aliens and strangers shall dwell in no other place, but

13 H. 6. c. 4. Hosts shall be appointed to merchants aliens.

with their said hosts so to be assigned; and that the same hosts, so to be assigned, shall take for their travel in the manner as was accustomed in old time.

vaill en manere come feust acoustumez en auncien temps.

4 H. 5. c. 5.
4 Ed. 4. c. 6.

CAP. X.

Justices of peace shall imprison none but in the common gaol.

9 Co. 119.
Cro. El. 829.

ITEM, because that divers constables of castles within the realm of England be assigned to be justices of peace by commission of our lord the King, and by colour of the said commissions they take people, to whom they bear evil will, and imprison them within the said castles, till they have made fine and ransom with the said constables for their deliverance; (2) it is ordained and established, That none be imprisoned by any justice of the peace, but only in the common gaol; saving to lords and other (which have gaols) their franchise in this case.

Justices of
peace shall im-
prison none
but in the
common gaol.

ITEM pur ceo qe diverses constables des chastelx deinz le roialme dEngleterre sont assignez par commissions nostre seigneur le Roi justis es de la pees & par colour des ditz commissions preignent gentz as queux ils sont malveullantz & les emprisonont deinz les ditz chastelx tanqils eient fait fyn & raunceon ove les ditz constables pur leur deliverance avoir ordeignez est & establiz qe nully soit emprisonnez par aucuns justices de la pees sinon en commune gaole s'avant as seignurs & autres qont gaoles leur franchises en ce cas.

CAP. XI.

The fermors of aliens shall pay their tithes to the parson of the same parishes.

The fermors
of aliens shall
pay tithes to
the parsons
and vicars of
the same pa-
rishes.

ITEM, it is ordained and established, That the fermors, and all manner of occupiers of the manors, lands, tenements, and other possessions of aliens, shall pay and be bound to pay, all manner of *Dismes* thereof due to parsons and vicars of holy church, in whose parishes the same manors, lands, tenements, and possessions be so assessed and due, as the law of holy church requireth, notwithstanding that the said manors, lands, tenements, or other possessions be seized into the King's hands, or notwithstanding any prohibition made or to be made to the contrary.

Regist. 179. b.

ITEM ordeignez est & establiz qe les fermours & occupiours quelconques des manoirs terres tenementz & autres possessions des aliens paient & soient tenuz de paier toutz maners des dismes ent dues as parsons & vicairs de seinte eglise es quelx paroches mesmes les manoirs terres tenementz ou possessions sont issint assiz & dues come la loye de seinte eglise demande nient contrestant qe les ditz manoirs terres tenementz au autres possessions sont seizis es mayns nostre dit seigneur le Roy & non obstant aucune prohibition faite ou afaire a contraire.

CAP. XII.

Execution may be awarded upon a statute once shewed in court.

ITEM ordeignez est & establisz qe quant ascun estatut marchant soit certifie en la chauncellerie & sur ceo brief agarde al viscont & retourne en le commune bank & lestatut illoques un foitz monstre qe combien qe le processe apres celle demonstrance soit discontinue qa quele heure qe la partie sue decontinuer le processe & devoir execution del estatut marchant qe les justices del bank en quel lestatut feust un foitz monstrez puissent sur celle record faire & agarder plein execution del estatut marchant avautdit sanz avoir de ceo autrefoitz vieu ou demonstrance en apres et qe cest estatut tiegne lieu de toutz estatutz marchantz a cest foitz nient pleinement executz.

ITEM, it is ordained and established, That when any statute merchant is certified into the chancery, and thereupon a writ awarded to the sheriff, and returned into the common place, and the statute there once shewed, that howsoever the process after the same shewing be discontinued, that at what time the party sueth to have the process recontinued, and to have execution of the statute merchant aforesaid; that the justices of the bench, where the statute was once shewed, may upon the same record make and award full execution of the statute merchant aforesaid, without having the sight or shewing thereof another time after; (2) and that this statute hold place of all statutes merchant, not fully executed at this time.

CAP. XIII.

What things may be gilded and laid on with silver or gold, and what not.

ITEM por ce qe pleuseurs desloialx artificers ymaginantz a deceiver le commune poeple font de jour en autre firmalx anelx bedes chandelers gipserrynges chalices hiltes & pomelx despeies pouderbboxes lienes & bursels pur hanapes de cupre & de laton & les sui-forront & suisfargentent semblables a or & argent & les vendent & mettent a gage as plursours hommes nient ciantz pleine conissance de ce pur or entier & argent entier a grant deceit perde & arrerissement de commune poeple & anientissement & destruction dor & d'argent

ITEM, whereas many fraudulent artificers, imagining to deceive the common people, do daily make locks, rings, beads, candlesticks, barness for girdles, biltis, chalices, and sword-pomels, powderboxes, and covers for cups, of copper and of latten, and the same overgild and silver like to gold or silver, and the same sell and put in gage to many men, not having full knowledge thereof, for whole gold and whole silver, to the great deceit, loss, and hinderance of the common people, and the wasting of gold and silver; (2) it is ordained and established, That no artificer, nor other man whatsoever

8 H. 5. c. 3.

What things may be gilded and laid on with gold or silver, and what not.

he be, from henceforth shall gild nor silver any such locks, rings, beads, candlesticks, harness for girdles, chalices, hilts, nor pommels of swords, powder-boxes, nor covers for cups, made of copper or latten, upon pain to forfeit to the King C.s. at every time that he shall be found guilty, and to make satisfaction to the party grieved for his damages; (3) but that (chalices always excepted) the said artificers may work, or cause to be wrought, ornaments for the church of copper and latten, and the same gild or silver, so that always in the foot, or in some other part of every such ornament so to be made, the copper and the latten shall be plain, to the intent that a man may see whereof the thing is made, for to eschew the deceit aforesaid.

gent ordeignez est & establiz que nul artificer nautre homme queconque desore enavant suifor ne suifargente nulles tielx firmalx anelx bedes chandelers gipferrynges chalices hiltes ne pommels des espeies poudertboxes lienes ne bursels pur hanapes faitz de cupre ou de laton sur peine de forfaire au Roi C.s. a chescun foitz qil sera trovez coupable & de faire gree a partie pur ses damages mais que chalices touteditz exceptz les ditz artificers purront faire & overer ornamentz de seinte esglise de cupre & de laton & les suiforner & suifargenter parainssi toutezfoitz quen la pie ou en autre partie de chescun ornament ensi affaire soit la cupre ou laton plain a fyn que homme purra veier dont la chose est faite pur eschuir la deceit a vaunt dite.

CAP. XIV.

Inrolling of writs in the common place whereupon fines be levied.

ITEM, *Whereas many feet of fines of lands and tenements within the realm of England remaining in the King's treasury, and the notes of such fines remaining in the common bench, have been before this time embezzled, and other feet and notes of fines falsly counterfeited and set in their places, by deceit and falsehood of some, whereby many people of the realm have been greatly endamaged before this time, and may be distressed in the time to come;* (2) it is ordained and established, That all the writs of *Covenant*, and all other writs whereupon fines shall be levied in time to come, with the writs of *Dedimus potestatem*, if any be, with all knowledges and notes of the same, before that they be drawn

What writs and notes shall be inrolled in the common place whereupon fines are levied.

ITEM por ce que plusieurs piees des fins des terres & tenementz deinz le roialme d'Engleterre demurrantz en le tresore nostre seigneur le Roi & les notes de tielx fyns demurantz en le commune bank aient este devant ces heures enbezeles & autres pies & notes de fyns fausement controveez & mys en lour lieux par deceit & comettement daucuns par ont pleusours des gentz de roialme ont este grandement endamages avant ces heures & purront estre disheritez en temps avenir ordeignez est & establez que toutz liex brieves de covenant & toutz autres brieves sur queux fyns seront levez en temps avenir oveuse les brieves de *Dedimus potestatem* si aucuns y soient

toutz les conuſances & celles avant ce qils ſoient hors de commune ar le cirograffier ſoient en un rolle deſtre de pur toutz jours a de- en la fauſe garde du rk du commune bank ſez ſucceſſours ſoubz fee de vingt & deux accuſtumes a paiers au rk pur l'entree d'accorde un fyn ſanz plus outre fyn qe ſi les notes en de cirograffier ou les nt embeſilez qe lem a- rurs au dit rolle pur ent ecution come il aueroit ynes ne ſeuſſent point z & qe toutz les briefs tantz & toutz autres ir queux fyns ont eſte temps paſſe ſoient auxi d & enoutre de toutz queux ſont ore tarde z en le treforie noſtre le Roi par gentz diſco- les notes & briefs de tz des ditz fyns embe- nurantz en le garde de er ſi purront eſtre tro- a la partie monſtrant es ditz fyns embeſilez es & briefs de covenant gent de recorde ſi avant ſines ceux fyns euſſent al embiſilement diceux e faite.

drawn out of the common bench by the cyrographer, ſhall be inrolled in a roll, to be of record for ever, to remain in the ſafe cuſtody of the chief clerk of the common bench, and of his ſucceſſors, for the old fee of xxii pence, accu- ſtomed to be paid to the chief clerk, for the entering of the concord of every fine, without paying any more; (3) to the intent that if the notes in the cuſtody of the cyrographer, or the fines, be embezzled, a man may have recourſe to the ſaid roll to have execution thereof, as he ſhould have if the fines were not embezzled; (4) and that all the writs of *Covenant*, and all other writs, whereupon fines have been levied in times paſt, ſhall be alſo of record. (5) And moreover, all the fines that were now late embezzled in the treaſury of our lord the King by perſons unknown, if the notes and the ſame writs of *Covenant* of ſuch fines embezzled remaining in the cuſtody of the cyrographer may be found, that then to the party ſhewing part of the fines embezzled, ſuch notes and writs of *Covenant* ſhall remain of record as far forth as the ſame fines ſhould have been, if no embezzling thereof had been made.

5 Co. 39.

C A P. XV.

His pardon of the ſuit of his peace, treaſons, rebellious treſpaſſes, &c. with ſome exceptions.

Our ſovereign lord the King of his ſpecial grace, by aſſent Pardon. *of the lords ſpiritual and temporal, and at the requeſt of the in this preſent parliament aſſembled: hath pardoned to all people and ſubjects of his realm of England, and of the of Wales, and of the marches of Scotland, the ſuit of the at to him pertaineth, againſt them and any of them, manner of treaſons, inſurrections, rebellions, and treſ- me and perpetrate before the xliii. day of January, which firſt day of this preſent parliament: except thoſe that be*

imprisoned or in ward because of treason, and except murders, rapes of women, counterfeiters of the King's seal, makers of false money, that be corporally withholden in prison, or let at mainprise or in bail, and also the outlawries, if any of them be pronounced by the same occasion. And also our sovereign lord the King hath pardoned to all his liege people and subjects of the realm, country and marches aforesaid, and to every of them, which at this present time be adherent to his enemies or rebels, that will come again and obey to their liegeance within forty days next after the proclamation of this foresaid grace and pardon made, the suit of the peace, for all manner of insurrections, rebellions, felonies, trespasses, and misprisions done and perpetrated by them, or any of them, before their yielding or coming into their liegeance. And also the outlawries, if any of them be pronounced by the occasion thereof, so that they of the country of Wales do yield themselves to our sovereign lord the King, or to the prince of Wales, or to the duke of York, or to their lieutenants or deputies. And that they of the marches of Scotland, do yield themselves to our sovereign lord the King, or to John, son to the said King, warden of the east-marches, or to the earl of Westmoreland, warden of the west-marches towards Scotland, or their lieutenants or deputies. Provided always, That William Serle, Thomas Ward of Trumpington, which doth pretend and feign himself to be king Richard, shall not have nor enjoy any advantage by this grace and pardon, but that they be expressly excepted out of the said grace and pardon.

Statutes made at Coventry, Anno 6 HEN. IV. and
Anno Dom. 1404.

CAP. I.

The penalty of those which pay to the court of Rome more for the first-fruits of any bishoprick, &c. than had wont to be paid.

provision.

FOR the grievous complaints made to our sovereign lord the King by his commons of this parliament, holden at Coventry, the vi. day of October, the vi. year of his reign, of the horrible mischief and damnable custom, which is introduced now in the court of Rome, that no parson, abbot, nor other should have provision of any archbishoprick or bishoprick, which shall be void, till that he hath compounded with the pope's chamber, to pay great and excessive sums of money, as well for the first-fruits of the same archbishoprick or bishoprick, as for other less services in the same court, and that the same sums, or the greater part thereof be paid beforehand, which sums pass the treble or the double at the least, of that that was accustomed of old time to be paid to the said chamber and otherwise, by the occasions of such provisions, whereby a great part of the treasure of this realm hath

hath been brought and carried to the said court, and also shall be in time to come, to the great impoverishing of the archbishops and bishops within the same realm, and elsewhere within the King's dominions, if convenient remedy be not for the same provided: our said sovereign lord the King, to the honour of God, as well to eschew the damage of his realm, as the perils of their souls, which own to be advanced to any archbishopricks and bishopricks within the realm of England, and elsewhere within the King's dominions out of the same realm, by the advice and assent of the great men of his realm, in the parliament hath ordained and stablished: That they and every of them that shall pay to the said chamber, or otherwise, for such fruits and services greater sums of money, than hath been accustomed to be paid in old time passed, they and every of them shall incur the pain of the forfeiture of as much as they may forfeit towards the same our sovereign lord the King.

First fruits.

25 H. 3. c. 20.

CAP. II.

The statute of 1 H. IV. c. 6. touching petitions to be made to the King for lands, offices, &c. shall not extend to the Queen or princes.

ITEM, whereas in the parliament holden at Westminster, in the first year of the reign of our sovereign lord the King that now is, amongst other things it was ordained and stablished, That all those which from that time forth should demand of the King lands, tenements, rents, offices, annuities, or any other profits, should make express mention in their petition of the value of the thing so to be demanded, and also of that that they have had of the King's gift, or of any of his progenitors and predecessors before him, and in case they made not such mention in their said petitions, and that duly proved, the King's letters patents thereof made should not be available, nor of no force nor effect, but wholly revoked, repealed, and annulled for ever, in punishment of those which had done such deceit to the King, as they which shall not be worthy to enjoy the effect and benefit of the King's letters patents to them granted in this behalf: our said sovereign lord the King, by the advice and assent aforesaid, hath ordained and declared in the same parliament, That the Queen nor the King's son, nor none of them be contained in the said statute, nor restrained by the same to demand and receive of the King's gift any lands, tenements, or other possessions, but that they and every of them have, and enjoy all that they or any of them, have of the gift or grant of the King at this present, and that they and every of them may demand and receive of the King's gift or grant hereafter, without being molested or grieved by virtue of the foresaid statute.

Ex edit. Rast.

Petition.

Letters patents.

CAP. III.

Commissions shall be sent to inquire of the account of sheriffs, escheators, &c.

ITEM por ceo qe pleusours des viscountz eschetours alnyours customers countrollers &

ITEM, whereas divers of the sheriffs, escheators, aulnegers, customers, comptrollers, and other the

4 Inst. 117.

the King's officers, accountable in many parts of the realm, do defraud and deceive our said lord the King yearly in their unlawful and untrue account, concealing and receiving to their own use the greater part of that which rightfully ought to pertain to the King, to his great damage and loss;

Commissions shall be sent to inquire of the account of every sheriff, escheator, accountant.

(2) our said lord the King, by the advice and assent aforesaid, hath ordained, That presently after every final account given and made by the officers and customers aforesaid before the barons of the exchequer of our lord the King, the tenour of the account of every of the said officers from time to time shall be sent into the counties where the same accountants be officers, together with commissions directed to the most lawful and discreet persons, to inquire and certify the profits which the said accountants have received within the said counties, in the name and to the use of our said lord the King, by them in the manner aforesaid upon their said accounts deceitfully concealed and received to their own proper use and profit. (3) And in case that the said accountants be attainted of their said frauds and deceits, they shall incur to our lord the King the penalty of the treble of the same whereof they shall be so convicted, and their bodies to prison, until they have made fine and ransom to our said lord the King, according to the discretion of his judges.

& autres officiers nostre le Roy acomptablez en leurs parties del roialme fraudulent & desceyvent dit seigneur le Roy ament sur leur desloialx & verroies accomptz com & retenantz a leurs oeps la greindre partie que droiturement apertenoit a nostre seigneur avautdit a son tresgrande & perde nostre seigneur le Roi de ladys & suisditz ad ordeignez que tenaunt apres chescun compt renduz & faitz officers & costumers a ditz devant les barons chequer nostre dit seigneur le tenure de lacompt duncun des ditz officers de en mote soit envoie a tees en les queux les comptantz estoient office semblablement ove comm directz a les plus loialx cretes persones pur enquerre & certifier de les profitz les accomptantz avautdit receuz deinz les countees ditz en noun & al oeps dit seigneur le Roi par e manere avautdit sur leur accomptz a leurs propres & profet desceivablement celez & retenuz. Et e que les ditz accomptantz atteintz de leur dit fraude & deceites qils encourgent estre dit seigneur le Roi la de la treble de ce dont i ront convictez & leur prison a prison tanque ils aieront fyn & rancon a nostre seigneur le Roi avautdit selonc la discretion de sez juges.

CAP. IV.

is shall not carry forth of the realm merchandises brought in by aliens.

EM come en le darrein arlement tenuz a Westm' autres choses ordeignez qe les marchantz aliens tranges venderoient lour handisez deinz un quartre an profchein apres lour e en ycelle roialme nostre ur le Roi veiant la dite orice molt damageouse & hevous sibien pur luy mes- & son roialme come pur litz marchantz aliens & ages de ladvyz & assent ites ad ordeinez & esta- qe la dite ordinance soit out voide & adnullez pur : jours & qe mesmes les hantz aliens & estranges t a lour liberale disposition ndre leur dites merchan- en manere come ils feu- devaunt la faissance du dite rance sauvez toutesfoitz les hises & libertees de la ci- de Londres. Et purveux toutesfoitz qe les ditz hantz aliens & estranges fment ne facent amefner nement hors du roialme nes merchandises amefnez z mesme le roialme par les hantz aliens & estranges ntditz.

ITEM, *whereas in the parliament bolden at Westminster, amongst other things it was ordained, That the merchants aliens and strangers should sell their merchandises within a quarter of a year next after the coming thereof into the realm ; (2) our lord the King seeing the said ordinance hurtful and prejudicial, as well for himself and his realm, as for the said merchants aliens and strangers, by the advice and assent aforesaid, hath ordained and stablished, That the said ordinance be utterly void and adnulled for ever ; (3) and that the same merchants aliens and strangers be at their free disposition, to sell their merchandises in the manner as they did before the making of the said ordinance ; (4) saving always the franchises and liberties of the city of London. (5) And further provided al- ways, That the said merchants aliens and strangers shall not carry or cause to be carried out of the realm, any merchandises brought within the realm by the merchants aliens and strangers aforesaid.*

A repeal of so much of the statute of 5 H. 4. c. 9. as doth assign merchants aliens to sell their merchandise within a quarter of a year.

Aliens shall not carry forth of the realm merchandises brought in by aliens.

utes made at *Westminster, Anno 7 HEN. IV. and Anno Dom. 1405.*

OSTRE seignur le Roi a son parlement tenuz a Westm' le primere jour de ce lan de son regne vijme divis & assent des seignurs ituelx & temporelx & a la request des communes en mesme

OUR lord the King, at his parliament bolden at Westminster the first day of March, the seventh year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the commons in the same

par-

parliament, hath ordained and established divers ordinances and statutes in the form as followeth. me le parlement ad ord & establiz diverses ordi & estatutz en la forme seute.

CAP. I.

A confirmation of the liberties of the church, and of all and persons, &c. and of all statutes not repealed. shall be kept, &c.

A confirma-
tion of the
liberties of the
church, and of
all statutes
not repealed.

FIRST, That holy church have all her liberties and franchises; (2) and that all the lords spiritual and temporal, and all the cities, boroughs, and towns franchised, have and enjoy all their liberties and franchises, which they have of the grant of the King's progenitors, and of the confirmation and grant of our lord the King that now is. (3) And that the the Great Charter and the Charter of the Forest, and all the ordinances and statutes made in the time of our lord the King, and in the time of his progenitors, not repealed, be firmly holden and kept, and duly executed in all points. (4) And that the peace within the realm be holden and kept, so that all the King's liege people and subjects may from henceforth safely and peaceably go, come, and abide, according to the laws and usages of the same realm. (5) And that good justice and even right be done to every person; saving to the same our lord the King his regalty and prerogative.

Peace shall be
maintained,
and justice
shall be done
to all.

1 H. 4. c. 1.

PRimerement qe seint eit toutz sez libert fraunchises & qe toutz l gnurs espirituelx & tem & toutz les citees burg villes enfraunchises aient joient toutz les libert fraunchises queux ils o graunte des progenitour stre dit seignur le Roy & confirmation & du g mesme nostre seignur le Et qe la Grande Chartre de la Forest & to ordinances & estatutz fa temps nostre dit seignur l & en temps de ses ditz p nitours nient repellez fermement tenuz gardez & ment executz en toutz p Et qe la paix deinz le ro soit tenuz & gardez issi toutz ses loialx lieges & gitz mesme nostre seigr Roy purront desore sauvi & paisiblement aler venir murrer solonc les loyes sages de mesme le roialm qe bone justice & ovel soit fait a chescuny sauva mesme nostre seignur le ses regalie & prerogative.

CAP. II.

The realms of England and France intailed to the King his four sons by name.

Ex edit. Raft.

ITEM, at the request and of the assent of the said lords and commons, in the said parliament, it is ordained and established, the inheritance of the crown, and of the realms of England France, and of all the other dominions pertaining to our reign lord the King beyond the sea, with all the appurten

and remain in the person of the same our sovereign lord king, and in the heirs of his body begotten: and in especial request and of the assent aforesaid, it is ordained and established, pronounced, decreed, and declared, That my lord the Henry eldest son to our sovereign lord the King, be heir unto the same our sovereign lord, to succeed him in the crown, realms, and dominions, to have them with all the tenancies after the decease of the same our sovereign lord king, to him and his heirs of his body begotten. And if without heir of his body begotten, then all the said crown, realms, and dominions, with all the appurtenances, shall remain to the lord Thomas, second son of our said sovereign lord the king, and to the heirs of his body begotten. And if he die without issue of his body, then all the said crown, realms, and dominions, with all the appurtenances, shall remain to the lord the third son of our said sovereign lord the King, and to the heirs of his body begotten. And if he die without heir of his body begotten, that then all the foresaid crown, realms, and dominions, with all the appurtenances, shall remain to the lord the fourth son of our said sovereign lord the King, and to the heirs of his body begotten.

C A P. III.

The rolls of estreats shall be made certain.

M pur ce que plusours
ntz de roialme perdont
fines & amerciamentz en
rt nostre seigneur le Roy
suyte dascune partie &
ssues & amerciamentz en
stes & jures es queux ils
npanelles parentre partie
tie en la court avaunt dite
y les baillifs des viscountz
irs resceivours & baillifs
anchises & leurs rescei-
qui coillent la verte cere
les issues fines & amer-
ntz avaunt ditz par estre-
eux maundes & liverez
de la place ou ils furent
z par obscures & dotifs
contenantz la some issint
e nient fesantz mention
presse parol de cause de
de ne del jour del terme
quelx parties ne la na-
el brief es queux ycelles
fynes & amerciamentz
perduz issint qe les mi-
avaunt ditz levont la
some

ITEM, whereas divers people
of the realm do lose issues,
fines, and amerciaments in the
court of our lord the King, at the
suit of any party, and also issues
and amerciaments in inquests and
juries, wherein they be impanelled
betwixt party and party in the
said court; whereupon the bailiffs
of sheriffs and their receivers, and
the bailiffs of franchises and their
receivers, which gather the green
wax, do levy the same issues, fines,
and amerciaments by estreats sent
to them, and delivered out of the
place where they were forfeit, by
obscure and ambiguous words, con-
taining the sum so lost, not making
mention by expresse words of the
cause of the loss, nor the day of
the term, nor betwixt what par-
ties, nor the nature of the writ
in which the same issues, fines,
and amerciaments were lost, (2)
so that the said officers do levy the
sum two or three times, and some-
time the double sum contained in
their

Ed. 1. c. 19.

The rolls of
estreats shall
be made cer-
tain.

A confirma-
tion of the sta-
tute of 4^a Ed. 3.
c. 9. touching
gathering of
green wax.

their estreats, to the great grief and impoverishing of all the people; (3) it is ordained and established, That the justices and judges, before whom such issues or amerciaments be or shall be forfeit, in time to come shall charge the clerks of the estreats in the places where such issues and amerciaments be or shall be forfeit, by their oath to be made, that they make the rolls of the estreats of such issues and amerciaments distinctly by express word, of the cause of the loys, of the term, of the year, and the nature of the writ, and betwixt what parties such issues and amerciaments be or shall be lost, as well in the King's suit, as in the suit of the party; (4) and that the statute made in the time of King EDWARD the Third, the two and fortieth year of his reign, for gathering of green wax, be holden and kept in all points.

some deux foitz ou trois & aucune foitz la doubleme contenue en leurs estreats grand grevance & empeschement de tout le poeple & ne est & establi que les justices & juges devant queux issues & amerciamentz sont & sont faitz en temps advenant les clerks des estreats en les queles places en les queles issues & amerciamentz sont faitz & seront faitz par leur commandement de faire & qils facent les rolls des estreats des dites issues & amerciamentz distinctement par expresse parol del cause & parde del terme del an & de la nature del brief & par queux parties tiels issues & amerciamentz sont ou sont perduz sibi en la suite de la loi come en la suite de la partie le estatut fait en temps le tiers lan de son regne & le collet de vert cere soit tenu & gardes en toutz pointz.

CAP. IV.

No protection allowable for a gaoler which letteth prisoner escape.

ITEM, because that when divers persons, being debtors, be condemned to their creditors by due process of the law, and committed to prison, that is to say, to the gaols of the marshalsea, king's bench, fleet, and other prisons, in divers cities, boroughs, and towns within the realm, the wardens of the gaols and prisons aforesaid, of their own authority, do let the said debtors to go at large at their will; (2) and whereas by a statute it was ordained, That if any gaoler do let such prisoner to go by mainprise, or in bail, that then the person to whom the prisoner is condemned, shall have his action and recovery against the said gaoler, (3) the same wardens do

ITEM pur ceo que quaveres gentz detours condempnes a leurs creditors par due proces du loy & mys a prisonne cestassavoir gaols de mareschalcie du Roi flete & ailleurs as prisonnes en diverses citees & burghs deins le roialme gardeins des gaols & prisonniers de leur propre auctoriteissent les detours fuissint a large a leur volonte & par estatut est ordeigne aucune gaoler lesseroit tisoner aler a large par main ou en baille & adonques li sone envers qi le dit prisoner estoit condempne avec actione & recoverer son

pur-

aoler mesmes yceux gar-
purchacent a eux mesmes
ction du Roy parency qe
editours suisditz par ycelles
ctions sont delaiez & ta-
le leur duete & droiturele
verer sibien envers les ditz
ins des gaoles come les
ners suisditz a tresgrand
dice & damage del com-
e poeple & derogation de
mmune loy ordeignez est
abliz qe nul protection soit
ible ne allowable nacune-
: allowe en tiel cas.

*purchase to them the King's pro-
tection, whereby the said creditors
by the same protection be delayed
and deferred from their duty and
rightful recovery, as well against
the said wardens of the said gaols,
as against the said prisoners, to the
great damage and prejudice of the
common people, and derogation of
the common law: (4) it is or-
dained and established, That
no protection be available, nor
by any means allowed in such
case.*

In an action of
debt brought
against a
gaoler who
letteth a pri-
soner to e-
scape, a pro-
tection will
not lie.

13 Ed. 1. Stat. 1.
C. 17.

CAP. V.

*King shall not have the forfeiture of those lands whereof
certain traitors were seised to the use of others.*

EM, it is ordained and established, That none of the castles,
manors, lands, tenements, fees, advowsons, nor no parcel of
same, whereof Henry Percie, late earl of Northumberland,
Thomas late lord of Bardolf, were seised or any of them was
d jointly with other, or only by themselves, or of any of
only by himself, of the feoffment of other to another's
or for the great trust that their feoffors had to them to do
perform their wills, and whereof they were not infeoffed to
inherit to their own use, but to perform the wills of their
fors, or the wills of the feoffors of their feoffors, howso-
such feoffments be made by fine or otherwise, without
ving any deed proving the condition, shall be in any wise
d into the hands of our sovereign lord the King nor forfeit
im, and if any gifts or grants be made to our sovereign lord
King of the said castles, manors, lands, tenements, fees, and
owsons, or of any parcel thereof, to farm or otherwise, such
or grants shall be wholly void and of none effect for ever.
vided always, that our sovereign lord the King have the forfeiture
e castles, manors, lands, tenements, fees, and advowsons, of which
said late earl of Northumberland, or of the said lord of Bardolf,
y of them, were or was by themselves or severally inheritable by
nt, or by rightful purchase, or of which any other were infeoffed
ly with them, or other only to their use by fine, or in any other
ner.

Post. cap. 12.

CAP. VI.

*penalty of him which purchaseth a bull to be discharged
of tithes.*

TEM, it is ordained and established, That no person religi-
ous nor secular, of what estate or condition that he be, by
our of any bulls containing such privileges, to be discharged
tithes pertaining to parish-churches, prebends, hospitals, or
vicarages,

Ex edit. Pul.

The penalty, for purchasing of bulls from Rome to be discharged of tithes.

13 R. 2. stat. 2. c. 2. & 3.

2 H. 4. c. 4.

vicarages, purchased before the first year of King RICHARD Second after the conquest, or sithence not executed, shall execution any such bulls so purchased, or any such bulls purchased in time to come. (2) And if any such religious secular person, of what estate or condition he be, from henceforth by colour of such bulls do trouble any person of church, prebendaries, wardens of hospitals, or vicars, so they cannot take or enjoy the *dismes* due or pertaining to of their said benefices, that then such disturbers shall incur process and pain as is ordained by the statute made against of the order of *Cisterciens*, in the second year of the reign of said lord the King that now is.

CAP. VII.

Arrow-heads shall be well boiled, braised, and hardened

ITEM, because the arrow-smiths do make many faulty heads for arrows and quarels, defective, not well, nor lawful, nor defensible, to the great jeopardy and deceit of the people, and of the whole realm; (2) it is ordained and established, That all the heads for arrows and quarels after this time to be made, shall be well boiled or braised, and hardened at the points with steel; (3) and if any of the said smiths do make the contrary, they shall forfeit all such heads and quarels to the King, (4) and shall be also imprisoned, and make a fine at the King's will; (5) and that every arrowhead and quarel be marked with the mark of him that made the same. (6) And the justices of peace in every county of *England*, and also the mayor and sheriffs, and bailiffs of cities and boroughs, within the same cities and boroughs, shall have power to enquire of all such deceitful makers of heads and quarels, and to punish them as afore is said.

ITEM pur ceo que les arrow-smithes font plusieurs de fetes & quarels de nient bien ne loialement ne sensablement a grant perdesceit du poeple & de tout roialme ordeignez est & est que toutz les testes de set quarels desore enavaunt a soient boilles ou braises & a la point dasser et si a des ditz arrow-smithes le cent a contrarie qils fors toutes tielx testes & quare Roy & soient emprisonnez & facent fyn a la volonte du Et que chescun teste des set quarels soit seigne dune de celui que le fist. Et eies justices de la pees en chascun counte d'Engleterre & aus mairs viscontes & baillifs citees & burghs deinz mesmes les citees & burghs poair quer des toutz tieux fautesours de testes & quarels les punir par manere comme suis est dit.

Arrow-heads shall be well boiled, braised, and hardened at the points.

Justices of peace and chief officers of cities, &c. may enquire of and punish offenders.

CAP. VIII.

vision, licence, or pardon shall be granted of a benefice full of an incumbent.

M pur eschuir plusieurs
Tensions discordez & de-
& diverses autres mes-
verray semblables a four-
venir a cause des plu-
visions faitz & affaires
postoil & auxi a cause
ences sur ce grantez par
nostre souveraine seignur
nez est & establi qe nul
cence ou pardon ainsi
e devant ces heures ne
tier en temps advenir ne
ilable a aucune benefice
laucun incumbent a jour
date de tiel licence ou
ie grante.

ITEM, To eschew many
dissensions, discords and de-
bates, and divers other mis-
chiefs very like to rise and grow
because of many provisions
made, and to be made, by the
pope, and also in respect of li-
cences granted upon the same
by the King our sovereign lord;
it is ordained and established,
That no licence or pardon so
granted before this time, nor
to be granted in time to come,
shall be available to any bene-
fice full of any incumbent, at
the day of the date of such li-
cence or pardon granted.

No provision
shall be made
by the pope
nor licence of
pardon by the
King touch-
ing a benefice
then full of an
incumbent.

3 H. 4. c. 4.

CAP. IX.

merchandises may be sold in gross, as well to all others, as to citizens of London.

M come a la grevouise
mpleint des ditz com-
fait en parlement soit
ez coment dancien temps
stoit & accoustumez qe
les drapers & vendours
aps de queconque lieu de
ie repairantz & conflu-
citee de Loundres come
merchantz ove diverses
andises come devyns feer
cere & autres choses ap-
antz as merchandises ex-
antz & repairantz & con-
al dite citee ont achatuz
duz en gros sibien ove
come deinz deins de les
& autres merchandises
a leur volunte & pleiser
en ycelle partie tant-
ent custumes & autres
ent resonablement duez
es par mesme le temps
ont destourbez ou en as-
ianere impede de ven-
.. II. dre

ITEM, whereas at the grievous
complaint made by the
commons in the said parliament, it
is shewed, how that in old time it
was used and accustomed, that as
well the cloth-makers and drapers
of whatsoever place of the realm,
repairing and having recourse to
the city of London, as other mer-
chants, with divers merchandizes,
as wine, iron, oil, and wax, and
other things pertaining to mer-
chandise, exercising, repairing,
and having recourse to the said
city, have bought and sold in gross,
as well with aliens as with deni-
zens, of the cloths and other mer-
chandises aforesaid, at their will
and pleasure, paying in this behalf
only the customs and other devours
thereof reasonably due; (2) and
never in all the said time were
disturbed, or in any manner hin-
dered to sell or buy in gross with
merchants, aliens, or denizens, of
such

H h

8 Co. 128.

All merchan-
dises may be
sold in gros
in London as
well to all the
King's people
as to the citi-
zens of Lon-
don.

such cloths and merchandises, at their will and pleasure, but only to retail; (3) and now of late as well the same cloth-makers, as other the merchants aforesaid, by the mayor, sheriffs, aldermen, drapers, and merchants of London, be daily disturbed and let, to sell and buy in the manner aforesaid, as well in gros as in retail, and grievously and continually constrained to sell their said cloths and merchandises only to the merchants and inhabitants of the said city, to the singular profit and advantage of them of London, and also to the damage and loss of the lords spiritual and temporal, and the commons of this realm, as of the said cloth-makers and merchants so grieved, and a plain ensample and occasion to such cloth-makers and merchants so grieved, to withdraw themselves from the said city from henceforth, if remedy be not rather provided in this behalf; (4) it is ordained and established, That as well the drapers and cloth-sellers, as other merchants, with their sundry merchandises, as of wine, iron, oil, and wax, and other things pertaining to merchandises, shall be free to sell in gros their cloths, iron, oil, and wax, and other their merchandises, as well to all the king's liege people, as to the citizens of London, notwithstanding any franchise or liberty granted to the contrary.

dre ou achater en gros ove chantz aliens ou denzei tielx draps & marchand leur volonte & pleiser mement a retail et ja soit bien les ditz drapers cor autres merchantz suisdit les mair viscountz alderm drapers & marchantz de Londres destourbez de jour e tre de vendre & achater manere suisdit sibien en come a retail & grevouli & continuelement const de vendre leur draps & chandises suisditz tantfoult as merchantz & autres en tantz la dite citee a singu vantage & profit deu Loundres & sibien com damage & perde des sei espirituelx & temporelx communes du roiaume de les ditz drapers & merc enli grevez & evident enli & occasion as tielx drap merchantz enli grevez de retraiher dela dite citee ena si remede ne soit purveu le istoit en cest partie orde est & establiz qe sibien les pers & vendours des draps autres merchantz ove loz veres merchandises con vyns ferre feel & cere & choses appurtenauntz as chandises soient francz de dre en gros leur draps fer & cere & autres leur merchandises sibien as quelx conques du Roy come a les citezei Londres non obstant a franchise ou libertees gra a contrarie.

CAP. X.

The length and breadth of cloth of ray and coloured

Ex edit. Raft.
Cloths of ray.

ITEM, *whereas in divers parliaments of King EDWARD Third, grandfather of our sovereign lord the King that now was ordained, That the cloth of ray should be in length xxviii. and in breadth vi. quarters, and the whole coloured cloth in*

yards measured by the creast, and in breadth vij. quarters and a
 to the intent that the one whole cloth and the other watered and
 should be in length xxiiij. yards: and now the makers of the said
 do make them subtilly, so that the cloth unneth containeth xxj. or
 yards, and of less breadth by much than it should be, in deceit and
 damage of the common people of the realm: it is ordained and
 shed, That the whole coloured cloth shall contain in length
 . yards, and the cloth of ray as much measured without de-
 the cloths, and in breadth as before is ordained by the
 . And if the clothmakers from henceforth make their
 of less length or breadth, that then the same makers shall
 the cloths, which by the aulneger shall be found of less
 or breadth. And that the aulneger take the same and
 r them to the wardrobe, to the use of our sovereign lord
 ing.

CAP. XI.

Commissioners not receiving a commission, shall be discharged upon oath.

M come plusieurs des
 ges nostre seigneur le Roy
 assignez par les com-
 ns pur faire & parfour-
 nirent dicelles aucuns
 & terminer & aucuns
 ere & certifier & autre-
 par ont mesmes les com-
 ners sont grevouement
 eintz par proces hors de
 quer par cause des ditz
 missions et par celle cause
 nt grandes issues la ou les
 commissioners unques ne
 sachantz de tielx com-
 ns ne unques mesmes les
 missions deveindront en
 rains a grand damage &
 des plusours des lieges
 oy ordeignez est & esta-
 e les barons de l'eschequer
 poir de resceiver les ser-
 de tielx commissioners
 rs excusation & discharge
 resceit ou occupation de
 missions. Et auxi que
 es les barons & les justices
 a banc & de lautre aient
 par breve de Dedimus po-
 m de resceiver tielx sere-
 en pais et que mesmes les
 s ent certificent les ditz
 barons

ITEM, whereas many of the
 king's liege people be assigned
 by his commissions to do and per-
 form the content of the same,
 some to hear and determine, some
 to enquire and certify, and other-
 wise, whereby the same commis-
 sioners be grievously distrained by
 process out of the exchequer, by
 reason of the said commissions, and
 by that occasion do lose great issues,
 where the said commissioners did
 never know of such commissions,
 nor the same commissions ever came
 to their hands, to the great da-
 mage and hinderance of many of
 the King's subjects; (2) it is or-
 dained and established, That
 the barons of the exchequer
 shall have power to receive the
 oath of such commissioners of
 their excuse and discharge of
 the receipt or occupation of the
 said commissions; (3) and also
 that the same barons of the ex-
 chequer, and the justices of the
 one bench and the other, shall
 have power, by writ of *Dedimus
 Potestatem*, to receive such oaths
 in the country; and that the
 same justices shall thereof cer-
 tify the said barons in the ex-
 chequer

Commission-
 ers not re-
 ceiving the
 commissions,
 shall be dis-
 charged upon
 their oaths.

chèque from time to time, and that upon the same, the said barons shall discharge the said commissioners; (4) and in like wise it shall be done for the heirs, executors, or land-tenants of the said commissioners. (5) Provided always, That such oaths be not taken but in case of commissions of Oyer and Determiner, and of enquiry and certifying only.

4 H. 4. c. 9.

barons en leschequer de t en temps et qe sur ce m les barons dischargent les commissioners et sembl ment soit fait pur les heirs cutours ou terretenantz di commissioners. Purveux tesfoitz qe tielx seremen soient prises mes en cas de missions doier & termin denquer & certifier tant ment.

CAP. XII.

Those lands shall not be forfeited to the King, whereof they were seized to the use of others.

Ex edit. Raft.

ITEM, it is ordained and established, That none of the manors, lands, or tenements, whereof John earl of Salisbury was beheaded at Cirencester, or sir Thomas Blount, and all which were taken at Cirencester and brought to Oxford, or that were judged traitors in any other place within the realm of England, after the coming of our said sovereign lord the King into the said realm, were selfed or any of them was seised jointly with other, or only by themselves of the feoffment of another's use, or for the great confidence that their feoffors in them, to do and perform their will, and whereof they not enfeoffed to be inherited, but to perform the will of their feoffors, nor no part of the same manors, land, or tenements howsoever such feoffments be made by fine or otherwise, out shewing a deed proving the condition: shall be in anywise forfeit to our said sovereign lord the King, and if any gifts or grants be made by our said sovereign lord the King of the same manors, lands, or tenements, or of any parcel thereof, to or otherwise, such gifts or grants shall be utterly void for ever and of none effect. *Provided always, that our sovereign lord the King have the forfeiture of the manors, lands, and tenements, which the said late earl of Salisbury, or the said sir Thomas, or any other of them, were or was by themselves verally inheritable by descent or by rightful purchase, or whereof they were enfeoffed jointly with them, or other only to their use by any other manner whatever.*

ante. c. 5.

CAP. XIII.

Impotent persons that be outlawed may make attornies.

ITEM, whereas many of the King's liege people be outlawed, and many waived, by erroneous process in law, and be so impotent in their bodies, by divers maladies and infirmities, that they cannot come in their proper persons before

ITEM pur ceo qe plusieurs des lieges du Roy soient lages & plusieurs waivies proces erroine du loye & si impotentz de leurs corps par diverses maladies & infirmités ne purront en leur

the

ersones venir devant le
son banc illoeqes af-
ir seute pur tiel proces
reverfer ordeignez est
liz qe chescun justice
anc & de lautre & auxi
baron de leschequer ait
examiner ycelles perso-
ns tiels maladies & in-
s overtment conuz &
urront mesmes les jus-
baron & chescun de eux
rs discretions recorder
en cest cas. Pourveux
itz qen le breve de Ca-
satisfaciend' courge la
ne ley.

*the King in his bench, there to
make their suit to reverse such er-
roneous process; (2) it is ordain-
ed and established, That every
justice of the one bench and of
the other, and also the chief
baron of the exchequer, shall
have power to examine the
same persons, having such ma-
lady and diseases openly known,
and thereupon may the same
justices and baron, and every of
them, by their discretion, re-
cord their attorney in this case.
(3) Provided always, That in
the writ of Capias ad satisfaciendum
the common law shall hold
place.*

Impotent per-
sons that be
outlawed may
make their
attornies.

Capias ad sa-
tisfaciendum.

C A P. XIV.

*tute of 1 HEN. 4. c. 7. and 1 RICH. 2. c. 7. touch-
be giving and taking of liveries confirmed. No congre-
n or company shall make any livery of cloth or hats.*

*1, whereas it is ordained by the statute made the first year of
reign of our sovereign lord the King that now is, That no
p, bishop, abbot, nor none other man of holy church,
oral person, of what estate or condition that he be, within the
England, give no liveries of cloth to any, but only to his me-
officers, and to those that be of their council as well spiritual
al, learned of the one law or the other, upon pain to make fine
om at the King's will: it is ordained and established, That
that statute, as the statute of livery of hats, made in the
King RICHARD the Second, be holden and firmly kept,
in due execution, joined to the same, that if any knight,
other person of less estate, do give any such livery of
of hats, against the form of the said statutes, that he
ur the pain of a C. s. for every such livery of cloth or
to be paid to the King as often as he shall do contrary
tute or ordinance, and that he, which receiveth any
ery of cloth or of hats, shall likewise incur the pain of
be payed to the King as afore is said, and he that will
is case, shall have the one half of such pains for his la-
And that the same pains be in no wise pardoned. More-
s ordained, That no congregations nor company be made
livery of cloth nor of hats at the proper costs of the con-
n, or company, upon pain of every man of the same
ation or company, that doth contrary to this ordinance
e, to pay the King xl. s. The gilds and fraternities, and
people of mysteries of cities and boroughs within the realm, that
ed or ordained to a good intent or purpose only except. And
oes assigned to take assises shall have power to enquire*

Ex edit. Raft.

Livery of
cloth, and of
hats.

Repealed by
3. Car. 1. c. 4.

from time to time in their sessions of the matters afore said, the same to certify in the king's bench. *Provided always* that the time of war it shall be lawful to lords, knights, and esquires which travel in such war, to give their livery of clothing or of such and in such wise, as best to them shall seem for the time of war, without being any wise vexed or inquired in this behalf by force or virtue of this statute.

CAP. XV.

The manner of the election of knights of shires for parliament.

4 Inst. 10. 48.
The manner
of the election
of the knights
of the shires
for the parliament.

ITEM, our lord the King, at the grievous complaint of his commons in this present parliament, of the undue election of the knights of counties for the parliament, which be sometime made of affection of sheriffs, and otherwise against the form of the writs directed to the sheriff, to the great slander of the counties, and hindrance of the business of the commonalty in the said county; (2) our sovereign lord the King, willing therein to provide remedy, by the assent of the lords spiritual and temporal, and the commons in this present parliament assembled, hath ordained and established, That from henceforth the elections of such knights shall be made in the form as followeth; (that is to say) at the next county to be holden after the delivery of the writ of the parliament, proclamation shall be made in the full county of the day and place of the parliament, (3) and that all they that be there present, as well suitors duly summoned for the same cause, as other, shall attend to the election of the knights for the parliament, (4) and then in the full county they shall proceed to the election freely and indifferently, notwithstanding any request or commandment to the contrary; (5) and after that they be chosen, the names of the persons

ITEM nostre seigneur le roi al grevouise complaint communalte del non duelection des chivalers des counties pur le parlement & aucuns soitz sont faitz de ffection des viscountz & de ment encontre la forme briefs as ditz viscountz de a grand esclandre des counties & retardation des besoigns communalte du dit county nostre sovereign seigneur le roi vuillant a ceo purveier & medie de lassent des seigneurs espirituelx & temporelx tout la communalte en cest present parlement ad ordeigne establiz qe desore en avant elections des tielx chivalers soient faitz en la forme que cest assaver qe al prochain county a tenir apres la liverye brief du parlement proclamation soit fait en plein county de le jour & lieu de parliament & qe toutz ceux qe il y sont presentz sibi en suterelement somonies pur cele come autres attendent la liverye de leurs chivalers pur le present parlement et adonques en counte aillent al election liberalment & indifferently non obstant aucune priore commandement au contraire apres qils soient esluz soitz personnes esluz presentz & sentz soient leurs nouns & en endenture desloutz le

2 Ed. 1. c. 5.

de toutz ceux qe eux eslient & tacchez au dit breve du parlement quele endenture issint ensealez & tacchez soit tenuz pur retourne du bit brief quant as chivalers des countees. Et qen briefs de parlement affairs en temps advenir soit mys ceste clause ' Et electionem tuam in pleno comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint nobis in cancellaria nostra ad diem & locum in brevi content' certifies indilate.'

sons so chosen (be they present or absent) shall be written in an indenture under the seals of all them that did choose them, and tacked to the same writ of the parliament; which indenture, so sealed and tacked, shall be holden for the sheriff's return of the said writ, touching the knights of the shires.

(6) And in the writs of the parliament to be made hereafter, this clause shall be put: *Et electionem tuam in pleno comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint nobis in cancellaria nostra ad diem & locum in brevi contentos certifies indilate.*

A clause to be inserted in every writ of the parliament.

11 H. 4. c. 1.

6 H. 6. c. 4.

23 H. 6. c. 13

C A P. XVI.

Annuities granted by the King or his ancestors, of an elder date, shall be paid before them that were granted of a later date.

ITEM, whereas late upon a suggestion made to our sovereign lord the King in this parliament holden at Westminster, in the Utas of Saint Hillary, the fourth year of his reign, by the commons then being in the said parliament, That whereas divers persons, which had in consideration of their good service, as well of the grant of our sovereign lord the King that now is, as of the grants of King EDWARD, grandfather of our said sovereign lord the King, and of King RICHARD his last predecessor, certain annuities to be taken for term of their lives, of the issues and revenues of divers counties of England, by the hands of the sheriffs of the said counties for the time being, and that other persons of a later time, by virtue of letters patents to them granted by some of the said Kings, of certain sums to be taken of the issues of the said counties for term of life or in other manner in surcharging of the said counties, by favour or pardon hath been payed, the first grantees set apart, or many of them not payed, to their great wrong, and against right and reason and likely to the disherison of the said first grantees: it is ordained and established, That they, which have letters patents effectual and of force, being of the elder date, shall be first payed, according to effect of the same, and of the sufficient grants thereupon made. Saving to our sovereign lord the King the proffers made or to be made in his exchequer, and saving that that is granted to the Queen and the King's son. And if any sheriff, customer, or any other pay to any having letters patents of a later date, and leave any other having letters patents of an elder date unpaid, except those which before be excepted, that he which so doeth, be not excused nor discharged against them that have their letters

Ex edit. Rast.

Annuity.

patents of the elder date, nor discharged out of the exchequer till he hath made gree to the party according to law and reason, and damages after the discretion of the barons of the exchequer.

CAP. XVII.

No man shall put his son or his daughter to be an apprentice, unless he have twenty shillings in land or rent; but every person may put his son or daughter to school.

Ex edit. Raft.

Labourers.

Husbandry.

Apprentice.

ITEM, it is ordained and established, That the good statutes made in the time of King EDWARD, grandfather of our sovereign lord the King that now is, the xxv. year of his reign, and the statutes made at Canterbury in the time of King RICHARD late King of England, the xii. year of his reign, touching labourers, artificers, and other servants of husbandry, shall be holden and kept in all points, and put in due execution: and whereas in the statutes made at Canterbury, among other articles it is contained, That he or she that useth to labour at the plough or cart, or other labour or service of husbandry, till he be of the age of twelve years, that from the same time forth he shall abide at the same labour, without being put to any mystery or handicraft, and if any covenant or bond be made from that time forth to the contrary, it shall be holden for none. Notwithstanding which article, and the good statutes afore made through all parts of the realm, the infants born within the towns and seignories of upland, whose fathers and mothers have no land nor rent, nor other living, but only their service or mystery; be put by their said fathers and mothers and other their friends to serve and bound apprentices to divers crafts within the cities and boroughs of the said realm, sometime at the age of twelve years, sometime within the said age, and that for the pride of clothing and other evil customs that servants do use in the same, so that there is so great scarcity of labourers and other servants of husbandry, that the gentlemen and other people of the realm be greatly impoverished for the cause aforesaid: our sovereign lord the King considering the said mischief, and willing thereupon to provide remedy, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained and established, That no man nor woman, of what estate or condition they be, shall put their son or daughter, of whatsoever age he or she be, to serve as apprentice, to no craft nor other labour within any city or borough in the realm, except he have land or rent to the value of twenty shillings by the year at the least, but they shall be put to other labours, as their estates doth require, upon pain of one year's imprisonment, and to make fine and ransom at the King's will. And if any covenant be made of any such infant, of what estate that he be, to the contrary, it shall be holden for none. Provided always, That every man or woman, of what estate or condition that he be, shall be free to set their son or daughter to take learning at any manner of school that pleaseth them within the realm, and that from henceforth every person that will make his son or daughter apprentice to any craft within city or borough, that he bring to the mayor or bailiffs of the said city

city or borough a bill sealed under the seals of two justices of Justice of peace of the county, where such infant is born, testifying the va-
 lor of the lands or rents of his said father and mother, as afore-
 is said. And that no man nor woman receive any apprentice
 contrary to this ordinance, upon pain to pay to the King C.
 shillings, as well at the King's suit as of every person that will
 complain, as well before the justices of peace, as in any other
 court of the King. And he that will sue in this behalf shall
 have the one half for his labour, and the King the other half.
 And that in every leet be it in the King's hand, or of any other
 the King's liege man, once in the year all the labourers and ar-
 tificers dwelling in the same leet shall be sworn, to serve and
 take for their service after the form of the said statutes. And if
 they refuse that to do, they shall be put in the stocks within the Stocks.
 town where they be taken by three days without bail or main-
 prise, till they will make gree, and from thence they shall be sent
 to the next gaol. And that every town or seignory that faileth
 of their stocks, so that they be not made before the feast of ^{8 H. 6. c. 11.}
Easter next coming, shall incur against the King the pain of C. s. ^{12 H. 7. c. 1.}
 to be levied and paid in aid of the *Quinzime* to be granted ^{5 Eliz. c. 4.}
 hereafter. ^{lect. 27.}

CAP. XVIII.

None shall be punished for repressing of the late riots.

ITEM, it is ordained and established, That none of the lords ^{Ex edit. Rast.}
 spiritual nor temporal, knights nor esquires of the realm,
 nor none other person, of what estate or condition that he be,
 shall not be in any wise grieved, molested, inquieted, nor en-
 damaged, for any of them, or for their journeying or pursuit
 made with the King at his commandment, for to chastise and
 punish the riots and insurrections, which hath been diversly
 made at sundry seasons within the realm, after the coming of
 our said sovereign lord the King into the same realm, but that
 they and every of them be thereof utterly quit, released, pardon-
 ed, and discharged for ever. ^{Pardon.}

Statutes made at *Gloucester*, Anno 9 HEN. IV.
 and *Anno Dom.* 1407.

REX vicecomiti Kanc' salutem. Quedam statuta & ordinationes
 in ultimo parlamento nostro edita tibi mittimus in forma pa-
 tenti sub eo qui sequitur tenore.

POUR ceo qe diverses com-
 plaintes ount este faitz a
 nostre seigneur le Roy par les
 communes de son royaume en
 le parlement tenuz a Gloucestre
 le xxme jour d'Octobr' lan du
 regne nostre dit seigneur le Roy
 noesime

BEcause that divers complaints
 have been made to our lord
 the King by the commons of this
 realm, in the parliament holden at
 Gloucester the twentieth day of
 October, in the ninth year of the
 reign of our said lord King HENRY
 the

the Fourth after the conquest; the same our lord the King, willing to remedy the said complaints, by the advice and assent of the lords spiritual and temporal, and at the instance and request of the said commons, hath caused to be ordained and established divers statutes and ordinances, in form as followeth.

noëisme mesme nostre seigneur le Roy voillant remedier les ditz complaintes de ladvis & assent des seignurs espirituelx & temporelx & a les instance & request des ditz communes ad fait ordeiner & establier diverses ordeinances & estatutz en la forme qensuyt.

CAP. I.

A confirmation of all liberties, except those granted to the scholars of Oxford.

The liberties of the church, and the franchises of all cities, boroughs and private persons confirmed.

FIRST, That holy church have all her liberties and franchises; (2) and that all the lords spiritual and temporal, and other the King's liege people, having liberties and franchises, and all cities and boroughs of the realm, have and enjoy their liberties and franchises, which they have of the grants of the progenitors of our lord the King, and of his own grant or confirmation, except the franchise now late granted to the scholars of the university of *Oxford*; (3) and that the Great Charter, and the Charter of the Forest, and all other good statutes made before this time, and not repealed, stand in their force.

A franchise granted to the scholars of Oxford excepted.

Primierement qe seinte esglise ait toutes ses libertees & franchises et qe toutes les seignurs espirituelx & temporelx & les autres lieges du Roy aientz libertees & franchises & toutz les citees & burghs du roiaume aient & enjoient toutz lour libertees & franchises queux ils ontent des grauntz de les progenitours nostre dit seigneur le Roy & de son graunt demesne ou conferment forspris la franchise ore de novell graunttee a les escolers del universitee d'Oxford et qe la Graunde Chartre & la Chartre de la Foreste & toutz autres bons estatutz avant ces heures faitz & nient repellez estoient en lour force.

CAP. II.

Kendal cloth shall not be sealed, nor aulnage paid for it.

Ex edit. Raft. Kendal-Cloth. Seal. Aulnage. 1 H. 4. c. 19. farther provided for by 7 Jac. 1. c. 16.

ITEM, it is ordained and established, That no cloth called Kendal, whereof the dozen passeth not vi. s. viii. d. shall not be sealed with none of the King's seals, nor aulnage great nor little be paid for the same. And that the owners to such cloths may freely sell the same cloths not sealed without forfeiting any thing to the King for the same, notwithstanding any statute or ordinance made to the contrary.

CAP. III.

Felons in South Wales shall be taken, or the country shall satisfy for their offences.

South Wales.

ITEM, touching felonies and robberies done within any seignory of South Wales, it is ordained and established: That the people of the country, where such felons be born, received, or dwelling, shall

take the same felons and bring them to the gaol of the country, where they shall be taken, or else they shall be hanged and make satisfaction of the felonies and robberies afore-^{Felonies.} to the parties, and that by the ordinance and award of the^{Repealed by} of the same seignory.^{21 Jac. 1. c. 28.}

CAP. IV.

Disclaimers in felony in Wales shall be utterly excluded and put out.

EM ordeignez est & estaliez qe nul laron ne felon sales overtement conuz ne suffert pur desclamer hors eigneurie ou la felonie fuist & qe tiel manere de desne soit de tout oustiez et bien les ditz larons overtet conuz come autres larons it mys a respoundre come z as enditementz ou acementz en mesmes les seignes ou les larons sont prises estre deliverez par dismer ou par lettres de marner aucune manere.

ITEM, it is ordained and established, That no thief nor felon in *Wales*, openly known, be suffered to disclaim out of the seignory where the felony was done, and that such manner of disclaiming be utterly put out; (2) and that as well the said thieves openly known, as other thieves, be put to answer, as privy to the indictments or accusations in the same seignories where the thieves be taken, without being delivered by disclaiming, or by letters of mark in any manner.

27 H. 8. c. 26.

CAP. V.

Disclaimers of ancient demesne, or mayors, &c. named disseisors in assise, to take away their franchise.

EM come diversez gentz vont sovent foitz assises de ell disseisine & autres briefs lee de terre devant justices nez en le plee de terre a le mune ley des terres teneantz & rentes esteantz deins franchises & auncien demer envers certains persones unt nomer auxint en leur assise & briefs les mairiffs & communalte des franchises & les seignurs & ifs dauncien demesne fuist ou ils ne sont en verite isours ne tenantz des ditz tenementz ou rentz issint lee esteantz par collusion aude de voidre & excluder itz mair baillifs & commi- & les ditz seignurs & baillifs

ITEM, whereas divers people do oftentimes sue assises of Novel disseisin, or other writs of plea of land at the common law, of lands, tenements, and rents being within franchised towns, and ancient demesne, against certain persons, and cause to be named also in their said assises and writs the mayor and bailiffs, and commonality of the franchises, and the lords and bailiffs within ancient demesne aforesaid, whereas of truth they be not disseisors, nor tenants of the said lands, tenements, or rents so being in plea, but named by collusion and fraud, to bar and exclude the said mayors, bailiffs, and commonalty, and the said lords and bailiffs of ancient demesne, of their franchises and liberties, cognisance, and

A remedy where lords of ancient demesne or mayors are named disseisors in writs to take away their franchise.

and jurisdiction of their court before them: (2) it is ordained and established, That in such assises or writs purchased or sued from henceforth, or at this present depending betwixt any parties before any such justices at the common law, in which such mayor, bailiffs, and commonalty, or lords of bailiffs of ancient demesne be named, that the same justices shall first inquire by the said assise in the country, whether the said mayor, bailiffs, and commonalty, or lords or bailiffs of ancient demesne (if they require it before such justices) be disseisors or tenants in that case, or be named by collusion and fraud, as afore is said. (3) And if it be found that they be not disseisors, nor tenants of the said lands, tenements, or rents, but acquit before the same justices, and found that they be named by collusion and fraud in the form afore said, That in such case the justices shall cause the said writs of assises, or other writs purchased in the form afore said, to be abated and annulled; (4) and that the said plaintiff or plaintiffs shall be in grievous mercy of the King, notwithstanding that other tenants or disseisors be named or found in such assises or writs.

baillifs dauncien demesne de lour fraunchises libertees conifances & jurisdiccions avoir de lour court devant eux ordeignez est & establiz qen tielx assises ou briefs purchasez ou suez desore enavaunt ou a present pendantz parentre queconques perones devant aucunes tiels justices a le comune ley es queux tielx mair baillifs communaltee seignurs ou baillifs dauncien demesne soient nomez qe les ditz justices primes enquergerent par la dite assise en pais si les ditz mair baillifs communaltee seignurs ou baillifs dauncien demesne ce demandent devant tielx justices fils soient disseisors ou tenants en tiel cas ou soient nommes par collusion & fraude come deluis est dit. Et si trove soit qils ne sont mye disseisors ne tenants des ditz terres tenementz ou rentz eins acquitez devant mesmes les justices & trovez qils sont nommes par collusion & fraude en la forme fuifdite qen tiel cas les ditz justices facent abater & casser les ditz brieds ou brief daffises & autres brieds purchasez en la forme fuifdit et qe les ditz pleintifs ou pleintif soient & soit en la greve mercy le Roy noun obstaunt qe autres disseisors ou tenants soient nomez & trovez en tielx assises ou briefs.

3 H. 6. c. 26.

C A P. VI.

A repeal of the statute of 7 HEN. 4. cap. 10. touching the length and breadth of cloth of ray.

Ex edit. Rast. Cloths of ray.

ITEM, whereas in the statute made at Westminster the seventh year of the reign of our said sovereign lord the King, it was ordained and established, That the cloths of ray should contain in length xxviii. yards measured by the list, and in breadth vi. quarters. And if the makers of the said cloths from that time forth should make their cloths of less length or breadth, they should forfeit their cloths which should be found by the aulneger of less length or breadth, as in the said statute is more fully contained: our said sovereign lord the King com-

de: m3

dering the said statute in this behalf very grievous and prejudicial, by the advice and assent of the said lords, and at the request of the said commons hath ordained and established: That the makers of the said cloths of ray, and the sellers of the same, shall be as free in the making and selling of the same as they were before the said parliament holden at *Westminster*. And that the said statute made in the said parliament, touching this matter, be wholly adnulled and repealed, and of no force nor value. And moreover, our said sovereign lord the King of his especial grace hath pardoned the makers of the said ray cloths, and the sellers of the same, the forfeiture and all that to him pertaineth, or in any manner may pertain by occasion thereof.

11 H. 4. c. 6.
13 H. 4. c. 4.
5 & 6 Ed. 6. c. 4.
43 Eliz. c. 10.
4 Jac. 1. c. 2.

CAP. VII.

Goods shall be chargeable for the payment of the quinzime, where they were at the time when the same was granted.

ITEM ordeignez est & establisz qe toutz maners des foreins eiantz terres tene-mentz bestes biens ou chateaux deins aucuns villes la jour del graunt dascune disme ou quinzime ou dautre taxe queconque combien qils amefnent leur bestes ou emportent leurs biens & chateaux hors dicell ville apres le jour de graunt suisdit qe mesmes les foreins & chescun de eux soient & soit contributours & contributoir ovefque ceux demurrantz en tielx villes a chescun tiel disme xvme ou taxe queconque Et qe les coillours de mesme la disme quinzime ou taxe pur le temps esteantz deinz tielx villes eient poair par auctorite de leur office de taxer & assesser tielx foreins solonc leur quantite de leur biens chateaux & possessions esteantz es ditz villes a les jours des grauntz dicelles disme quinzime ou taxe & pur les sommes as queux ils ferront assessez ou taxez destreindre en queconque lieu deins le counte sibien devaunt qe nostre seigneur le Roy soit responduz de les entiers sommes qateignent as tielx villes come apres. Purveux toutz foitz

ITEM, it is ordained and established, That all manner of foreigners having lands, tenements, goods, and chattels, within any towns at the day of grant of any *disme* or *quinzime*, or of any other tax whatsoever, although they lead away their beasts, or carry away their goods and chattels out of the same town after the day of the said grant, that the same foreigners, and every of them, shall be contributory with the inhabitants of such towns to such *disme*, fifteen, or tax whatsoever. (2) And that the collectors of the same *disme quinzime* or tax for the time being, within such towns, shall have power by authority of their office to tax and assess such foreigners according to the quantity of their goods, chattels, and possessions, being in the said towns at the days of the grant of the said *disme quinzime* or tax, (3) and for the sums whereto they be assessed or taxed, to distrain in every place within the county, as well before that our said lord the King be answered of the whole sums that attain to such towns, as after. (4) Pro-

1 Ed. 3. stat. 2. c. 6.

Goods shall be chargeable to the payment of the fifteen where they were at the time the same was granted.

vided

None shall be
twice charged
for his goods.

vided always, That no man
nor woman be two times char-
ged for any such beasts, goods,
nor chattels, in any wise by
occasion thereof.

foitz qe null home ne femme
soit chargez deux foitz pur
null tielx bestes ne chateux a-
cunement par celle encheison.

CAP. VIII.

*The carrying of money out of the realm to the court of Rome
prohibited; and all statutes against provisors, and trans-
lation of archbishopsricks, &c. confirmed.*

Ex edit. Rast.
Money.

ITEM, our said sovereign lord the King considering how that
the money of his realm of *England* is in divers ways convey-
ed out of the same realm to the court of *Rome* in exchange, by
provisors or provisions purchased of the pope, and translations
of archbishopsricks and bishopsricks, to the great impoverishing
of the same realm; hath ordained and established by the assent
aforesaid, That all the statutes and ordinances made against pro-
visors, translations of archbishopsricks and bishopsricks, their ex-
ecutors, procurators, notaries, fautors, maintainers and receiv-
ers, as well in the times of King *EDWARD* the Third, and King
RICHARD the Second, as in the time of our said sovereign lord
the King that now is, with all the pains and additions to the
same, shall be from henceforth firmly holden and kept in all
points, the moderation of the said statutes made before this time
to our said sovereign lord the King notwithstanding.

Provisors.

CAP. IX.

*Elections to spiritual promotions shall be free, and not inter-
rupted by the pope or the King.*

Altered 25
H.8.c.20.

AND that from henceforth
all the elections of all
archbishopsricks, bishopsricks,
abbies, priories, deanries, and
other dignities, or any other
elections, be free, without be-
ing in any wise interrupted by
the said pope, or by command-
ment of our said sovereign lord
the King. Provided always,
that our said sovereign lord
the King have as freely his li-
berties and prerogatives, as
any of his noble progenitors
hath had before this time, and
as he himself had at the time of
the making of this statute.

ET qe toutz les elections
des toutz ercheveschies
eveschies abbies priories deanes
ou autres dignites electives qi-
conques soient desorenavaunt
frankes sanz estre en nulle ma-
nere destourbiez par lappostoill
avaunt dit ou par maundement
de nostre dit seigneur le Roy.
Purveux toutz foitz qe nostre
dit seigneur le Roi eit auxi
franchement sez libertee &
prerogatif come aucune de ses
nobles progenitours ad eue de-
vant ces heures ou come luy
mesmes ad a cest temps de se-
sance de cest estatut.

CAP. X.

*don granted by the King to all that have purchased pro-
ns, or translations to archbishopsricks, bishopsricks, &c.*

ND also the same our sovereign lord the King hath par-
doned, all them that have purchased provisions or trans-
s of archbishopsricks or bishopsricks, purchased and exe-
and not executed before this first day of *December*, and all
procurators, notaries, factors and executors, all manner of
fles, contempts, forfeitures, and misprisions done by them
of them concerning the said purchases, so that they may
their grace in execution, as well by themselves as by their
rators, notaries, and executors aforesaid. Pardon.

ideo tibi precipimus quod statim visis presentibus statuta & ordina-
ones predicta in singulis locis infra ballivam tuam ubi magis expe-
fuerit & neceffe publice ex parte nostra proclamari & notificari ac
um in te est firmiter & inviolabiliter teneri & observari facias juxta
m eorundem Et hoc nullatenus omittas.

T. R. apud Westm' primo die Februarii anno nono.

ates made at *Westminster*, Anno 11 HEN. IV.
and *Anno Dom.* 1409.

ladvys & assent des sei-
gnurs esperituelx & tem-
& a les grandes in-
& prior des communes
tz en le parlement te-
Westm' en la quinszeine
int Hiller lan del regne
seigneur le Roy unziesme
e nostre seigneur le Roy ad-
gnez & establiz diverses
gnances & estatutz en la
qensuyte.

BY the advice and assent of
the lords spiritual and tem-
poral, and at the request, instance,
and suit of the commons, being in
the parliament holden at West-
minster, in the fifteenth of St.
Hillary, the eleventh year of the
reign of King HENRY the Fourth;
the same our lord the King hath
ordained divers statutes and ordi-
nances in the form as followeth.

CAP. I.

*Penalty on a sheriff for making an untrue return of the
election of the knights of parliament.*

imerement come en le
parlement tenuz a Westm'
1 regne nostre dit seigneur
y septiesme ordenez fuit &
iez par estatut en conser-
de les franchises & liber-
le election des chivalers
untees ulez parmy le roi-
certeine forme & manere
de

FIRST, whereas in the par-
liament holden at West-
minster, the seventh year of the
reign of our said lord the King,
there was ordained and establis-
ed by a statute for the preserva-
tion of the liberties and franchi-
ses of the election of the knights of
the shire used through the realm,

7 H.4.c.15.
8 H.6.c.7.

a cer-

The penalty of the sheriff who makes an untrue return at the election of the knights of the parliament.

1H.5.c.1.
6H.6.c.4.
23H.6.c.15.
Rast.446.

a certain form and manner of the election of such knights, as in the said statute more fully is contained; (2) and forasmuch as in the same statute no penalty was ordained or limited in special upon the sheriffs of the counties, if they make any returns to the contrary of the same statute; (3) it is ordained and stablished, That the justices assigned to take assises, shall have power to enquire in their sessions of assises of such returns made; (4) and if it be found by inquest, and due examination before the same justices, that any such sheriff hath made, or hereafter make, any return contrary to the tenor of the said statute; that then the same sheriff shall incur the penalty of one hundred pounds to be paid to our lord the King; (5) and moreover, that the knights of the counties so unduly returned, shall lose their wages of the parliament, of old time accustomed.

de la election de tielx chevaliers come en le dit estatut pluis pleinement est contenuz & partant qen mesme lestatut null peine fuit ordeigne ne mys en especiale sur les viscontz des countees fils ferroient ascuns retournes a contrair de mesme lestatut ordeigne est & establie qe les justices as assises prendre aient poair denquer en lour sessions des assises de tielx retournes faitz & si par enquest & due examination trovee soit devaunt mesmes les justices qe aucun tiel viscont ait fait ou face en apres ascun retourne encontre la tenure du dit estatut qe mesme le viscont encouerge la peyne de C li. a paiers a nostre dit seignur le Roy. Et outre ceo qe les chivalers des countees ensi nient duement retournez perdent lour gages du parlement dancien temps acustumez.

CAP. II.

No common hosteler shall be a customer, comptroller, or searcher.

No common hosteler in a city or borough shall be a customer, comptroller or searcher there.

• *Trounour.*

20 H.6.c.5.

ITEM, it is ordained and established, That no man which holdeth a common hostry in any city or borough of *England*, shall be a customer, comptroller, finder*, nor searcher of the said lord the King; (2) and that to eschew the damage and loss, which thereof may happen, by the favour that such common hostelers may or will do to merchants and other their guests in their said offices.

ITEM ordeinez est & establie qe null homme qtient commune hosterye en ascune citee ou burgh dEngleterre soit custumer controullour trouour ou sercheour nostre dit seignur le Roy & ceo pur eschuer les damages & perdre purront avenir par le favour qe tielx communes hostiliers purront ou voillent faire as marchauntz & autres lour hostes en lour offices dessuaiditz.

CAP. III.

Records shall not be amended or impaired after judgment inrolled.

ITEM ordeignez est & establi-
bliz que justices des assises
par commission nostre seigneur
le Roy en les countees de roi-
alme aprendre assignez & as-
signers desorenavant facent de-
liverer pleinement en tresorie
nostre dit seigneur le Roy toutz
les recordes de les assises de no-
vell disseisin de mordaunce-
tre & des certifications ove
toutz les appurtenances & ap-
pendances devaunt eux deter-
minez chescune secunde an a-
pres que le ples en soit deter-
mine & jugement rendu sanz
pluis delaie. Et que les recor-
des & les proceses des ples
realx & personelx & d'assises de
novell disseisin de mordaun-
cestre & certifications & d'au-
tres dont jugement soit ren-
duz & enrollez ou chose tou-
chant tielx ples ne soient en
aucune manere amendez ne
empeirez par novel entre des
clerks ou par record ou chose
certifier ou tesmoigner ou com-
mandement d'aucun justice qu-
conque en null terme apres que
tel jugement en tielx ples
soit donez & enrollez.

ITEM, it is ordained and esta-
blished, That the justices
assigned, and to be assigned, to
take assises by commission of
our lord the King in the coun-
ties of the realm, from hence-
forth shall cause to be delivered
fully in the King's treasury, all
the records of assises of *Novel
disseisin*, of *Mordaunce-
tre*, and of certifications, with all the
appurtenances and appendan-
ces before them determined,
every second year, that the plea
thereof be determined; and
judgment given without more
delay. (2) And that the re-
cords and proceses of pleas real
and personal, and of assises of
Novel disseisin, or *Mordaun-
ce-
tre*, and certifications, and of
others, whereof judgment is
given and inrolled, or things
touching such plea, shall in no
wise be amended nor impaired
by new entering of the clerks,
or by the record or thing cer-
tified in witness or command-
ment of any justice, in no term
after that such judgment in
such pleas is given and in-
rolled.

Justices of
assise shall de-
liver into the
treasury the
records of
assise, &c. eve-
ry second
year.
9 Ed. 3. stat. 2
c. 5.

Records shall
not be amend-
ed or impair-
ed after judg-
ment given
and recorded.

CAP. IV.

*He that playeth at unlawful games prohibited by the statute
of 12 RICH. 2. c. 6. shall be six days imprisoned.*

ITEM, Whereas in the statute made at Cant. the xiii. year of the
reign of King RICHARD, amongst other things it was accorded
and assented, That the servants and labourers of husbandry, and labour-
ers and servants of artificers, and of victuallers, should have bows and
arrows, and use the same the sundays and other festival days, and ut-
terly leave playing at the balls, as well hand-ball as foot-ball, and o-
ther games called coits, dice, bowling, and kails, and other such un-
christy games, and that the sheriffs, mayors, bailiffs, and constables,
shall have power to arrest all that do contrary, as in the said statute is
more fully contained; our sovereign lord the King will, That the

Ex edit. Rast.
Servants.
Unlawful
games.

said statute be firmly holden and kept: joined to the same, that every such labourer or servant that doth contrary to the same statute, shall have imprisonment by six days. And the mayors and sheriffs, or the mayors and bailiffs of cities and boroughs, and the constables in other towns, shall have power to put this statute in execution from time to time, and if they do not thereof execution, the same mayors and sheriffs, or mayors and bailiffs aforesaid, shall pay to the King for every default xx s. and the constables or constable of every town that doth not like execution of this statute, shall pay for every their or his default vi s. iii d. and that the justices of assises shall have power to enquire in this case in their sessions from time to time, of them that do contrary to this statute, and thereof to certify in the chancery.

Rep. 33 H.8.
c. 9.

CAP. V.

Gally half-pence shall not be current in payment in this realm.

Gally half-pence shall not be current in payment.

ITEM, because that Gally half-pence do commonly run in the realm for payment, in derogation of the King's crown, and in great deceit of the common people: it is ordained and established, That the said Gally half-pence shall never be current in payment nor in other manner within the realm of England, upon pain of forfeiture thereof. And moreover that the Gally half-pence, in whose hands soever they be found within the realm, shall be forfeit to our sovereign lord the King, after the two months next ensuing the proclamation of this statute. And also the same our sovereign lord the King will, That all the statutes and ordinances made before this time by him, or by his noble progenitors, not repealed, as as well of money of Scotland, as of the money of other realms and parts beyond the sea, be holden and kept, and put in due execution.

CAP. VI.

Cloths shall not be tacked and plaited together before the aulneger hath set his seal to them.

7 H.4. c. 10.

31 W 3 c. 20.

What is to be understood by the word cloth in this statute, see 11 H.6. c. 9.

ITEM, Whereas by the statute made the seventh year of the reign of our said lord the King that now is, it was ordained, That every whole coloured cloth made within the realm should contain by assise the length of eight and twenty yards by the crest, (2) and every dozen of cloth of the length of fourteen yards by the crest, (3) and the rays measured by the list should contain the same length, that is to say, the whole cloth eight and twenty yards, and the dozen fourteen yards: (4) and certain aulnegers thereto assigned through the realm, should take their charge in the exchequer, well and lawfully without fraud to search and survey such cloths and dozens, that every of them in his nature do contain the length and breadth as the statute aforesaid requireth: (5) the same aulnegers having power and authority by our said lord the King, duly to execute their office, and with the seal of their office thereto assigned to seal all the said

said cloths and dozens, holding their length and breadth, after the form of the said assise, so that the people having whereof they may be sure, that by the warrant of the same sealing, their cloths and dozens aforesaid shall hold their length and breadth, after the form of the said statute: (6) notwithstanding which statute, certain persons, namely, in the West parts, making such manner of cloths, which do not hold their assise as well in rays as in full cloth, and in especial where the whole coloured cloth ought to contain the length of eight and twenty yards, it holdeth not but three and twenty yards: (7) and where the dozen of cloth ought to hold fourteen yards, it holdeth but eleven yards; (8) and to conceal the deceit of the measure, the said people so making such cloths and dozens, cause the same to be plaited and tacked together presently after they be made: and when the aulnegers see the cloths so tacked together, they do seal them without making any more search or surveying of the same cloths, to the great deceit and hindrance, as well of the lords as the commons of the realm. (9) Our lord the King considering the mischiefs aforesaid, and willing thereof to provide remedy, by the advice and assent of the said lords, and at the request of the said commons, hath ordained and established, That a new seal having a sign and a mark differing from the old seal of the said office of aulneger, shall be made and delivered to the said aulnegers, (10) and after that the same seal so newly to be made be delivered to the said aulnegers, proclamation shall be made openly in the West parts, and other places through the realm, that no persons making such manner of cloths and dozens in the same West parts, nor elsewhere within the realm of *England*, be so hardy to tack and plait together such manner of cloths, before that the aulneger hath duly made his search and survey of the same cloths, that they hold their length and breadth ordained in the said statute, upon pain of forfeiture of the same: (11) and that the said aulneger after that, shall set the said new seal of his office to such manner of cloths and dozens; (12) saving always that the cloths and dozens of colour and of ray, which he ensealed with the said old seal, before the proclamation made, may have their course to be sold without any impediment, impeachment, or restraint upon them to be made by the said aulnegers, or any other officers, betwixt the date of the said proclamation, and the feast of *St. Peter ad vincula* next coming. (13) And in case that any aulneger in doing his said office do contrary to this statute, and thereof be duly attainted, that he at the first time that he shall be so attainted, shall lose x li. (14) and at the second time xx li. to be levied and paid to the use of our said lord the King, of all his lands and tenements, goods and chattels, in whose hands soever they be; (15) and at the third time his body shall be arrested, and all his goods and chattels at the King's will. (16) And moreover the same our lord the King doth will, That every person which will sue for the King, or for himself, shall have the suit to attain such aulnegers, so doing against this statute. (17) And the same

No man shall tack and plait together cloths before the aulneger hath set his seal unto them.
13 R. 2. stat. 1. c. 11.

The penalty of an aulneger not performing his duty.

11 H. 6. c. 9.

party pursuing shall have for his labour the fourth part of the penalty of ten or twenty pound aforesaid, according as the case shall happen: saving to lords and other their franchises, if they have any in this case.

C A P. VII.

Merchants strangers shall pay the customs, &c. granted to the King by the commons for cloth cut in pieces, or garments, proportionably after the rate of a whole piece.

Ex edit. Rast.
Custom.Merchants
aliens.Wool.
Gold and sil-
ver.

ITEM, *Whereas our sovereign lord the King hath had the custom and subsidy in the form contained in the grant of his commons, and amongst other of every cloth of scarlet, and of other cloth of whole grain a certain custom. Now so it is, that certain merchants aliens, dwelling in the city of London and other towns, have taken and do hold great houses, in which they be sole inhabitants, and do buy sometimes as in a year 1000 or 2000 cloths of fine white, or more, and do dye the same of their own grain in scarlet, or in sanguine, or in other colours of whole grain or half grain, and afterward do the same cloths to be cut to small pieces of v. or vi. yards, or more, or less, and thereof make divers garments, and pack the same in their said houses, and in the same packs subtilly do pack fine wool, gold and silver in plate, or sometime they put such wool, gold and silver in barrells and other vessels, and bring the same out of the realm without paying any custom or subsidy for the same, under the colour of such garments so made, because that such garments be not customable, and so our said sovereign lord the King, by such merchants aliens, so dwelling alone in their houses, is daily defrauded and greatly deceived of his custom and subsidy, to his great damage and prejudice in this behalf: it is therefore ordained and established, That all merchants aliens from henceforth shall pay the customs and subsidies as well for such garments after the rate, that is to say, if iii. v. or vi. such garments do contain one cloth of whole grain, that then they shall pay the custom and subsidy as for a whole cloth of scarlet, if less, less: or if more, more: as also of grained cloths and all other cloths of wool. And moreover, it is accorded and assented in the said parliament, That commissions shall be made to certain persons, to enquire if the said aliens have any thing done or attempted to the contrary of the said statutes made before this time in this case, and thereof to certify in the King's chancery.*

C A P. VIII.

The lord chancellor shall send the estreats of exchanges taken of merchants into the exchequer every fifteen days.

Exchange.
Merchandises
of the staple.

ITEM, *Whereas in the statute made at Westminster; the xiiii. year of King RICHARD the Second, it was ordained and established, that for every exchange, which from that time forth should be made by merchants to the court of Rome, or elsewhere, that the said merchants should be firmly and surely bound in the chancery, to buy within three months next after the said exchange made, merchandises of the staple, as wool, leather, woofels, lead, tin, butter, cheese, cloth, or other commodities of the land, to the value of the sum so exchanged,*

ed, upon forfeiture of the same: it is ordained and esta- 14 R.2.c.2.
d, That the said statute be firmly holden and kept, and
n due execution. Added thereto, that the chancellor
gland for the time being, shall from fifteen days to fifteen
lend the estreats of the writs of exchanges into the exche-
of our sovereign lord the King, and that the treasurer and
s of the said exchequer have power by authority of parlia-
to examine the customer in this case, and to punish them Customer.
hall be found guilty against the form of the said statute, ac-
ing to the continue of the same.

C A P. IX.

s in indictments shall be returned by the sheriff, or bail-
iffs, without the denomination of any.

M pur ceo qe ore tarde
questes feurent prisez a
n' des persones as justices
ez faunz due retourne
cont des queux persones
furent. utlagez devant
z justices de record & as-
fuez al seintewarie pur
& ascuns pur felonie pur
s avoir refuyte par que-
ien plufours maffailours
t enditez come autres
lieges nostre seignur le
ent coupables par con-
; abettment & faux
nation doutres persones
ar especiale avantage &
propres encontre la cours
commune ley avant ces
usez & accustumez nos-
: seignur le Roi pur
re ease & quiete de son
voet & graunte qe mes-
ditement issint fait ove-
tz les dependences di-
it revokez adnullez voi-
enuz pur null pur toutz
& qe desorenavant null
nent soit fait par ascuns
rsones einz par enques-
; loialx lieges nostre dit
le Roi en manere come
en temps de ses nobles
itours par les viscounts
lifs des franchises due-
retournez sanz ascune
denomination as ditz
viscountz

ITEM, because that now of 11 H. 7. c.24.
late inquests were taken at 12 H. 8. c.12.
Westminster, of persons named 12 Co. 98, 99,
to the justices, without due return Cro. Car. 134.
of the sheriff, of which persons 3 Inst. 32, 33.
some were outlawed before the
said justices of record, and some
fled to sanctuary for treason, and
some for felony, there to have re-
fuge, by whom as well many of-
fenders were indicted, as other
lawful liege people of our lord the
King, not guilty, by conspiracy,
abettment, and false imagination
of other persons, for their special
advantage and singular lucre, a-
gainst the course of the common
law used and accustomed before
this time; (2) our said lord the Jurors in in-
King, for the greater ease and dictments shall
quietness of his people, will and be returned
granteth, That the same in- by the sheriff,
dictment so made, with all the or bailiffs,
dependencethereof, be revoked, without the
adnulled, void, and holden for denomination
none for ever; (3) and that of any.
from henceforth no indictment
be made by any such persons,
but by inquest of the King's
lawful liege people, in the
manner as was used in the
time of his noble progenitors,
returned by the sheriffs or bail-
iffs of franchises, without any
denomination to the sheriffs or
bailiffs of franchises before
made by any person of the
names

names which by him should be impanelled, except it be by the officers of the said sheriffs or bailiffs of franchises, sworn and known, to make the same, and other officers to whom it pertaineth to make the same, according to the law of *England*. (4) And if any indictment be made hereafter in any point to the contrary, that the same indictment be also void, revoked, and for ever holden for none.

viscontz ou baillifs de franchises devant fait par aucune persone des nouns queux seront par luy empanellez sil ne soit par les ministres des ditz viscontz ou baillifs de franchises a ceo faire jurrez & commys & les autres ministres as queux il appartient de ceo faire solonc la ley d'Engleterre. Et si aucun enditement soit fait en temps avenir en aucune manere a contraire soit mesme lenditement auxint voide adnullez revokez & tenuz pur null a toutz jours.

Statutes made at *Westminster*, Anno 13 HEN. IV.
and Anno Dom. 1411.

THE Tuesday being on the morrow of All Souls, the thirteenth year of the reign of our lord King HENRY the Fourth, the same our lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the commons being in the said parliament holden at Westminster, hath caused to be ordained and stablished divers statutes and ordinances in form as followeth.

MArcredi lendemayn des almes lan du regne nostre seigneur le Roi treziesme mesme nostre seigneur le Roi de ladvis & assent des seignurs espirituelx & temporelx & a la requeste des communes estantz en son parlement tenuz a Westminster fist ordeigner & establi diverses ordinances & estatutz en la fourme qenseute.

CAP. I.

A confirmation of all liberties, saving a franchise granted to the scholars of Oxford.

The liberties of the church and of all cities and boroughs confirmed: the liberties granted to the scholars of Oxford excepted.

FIRST, That holy church have all her liberties and franchises, (2) and all the cities and boroughs of the realm have and enjoy all their liberties and franchises, which they have of the grant of our lord the King's progenitors, or of his own grant or confirmation, except the franchise now late granted to the scholars of the university of *Oxford*; (3) and that the Great Charter, and the Charter of the Forest, and all

Primierement qe seint esglise seit toutz ses libertees & franchises & qe toutz les seignurs espirituelx & temporelx & les autres liges du Roi ciantz libertees & franchises & toutz les citees & burghs du roialme eient & enjoient toutz leur libertees & franchises queux ils ount de graunte de les progenitours nostre dit seigneur le Roi & de son graunte demesme ou conferment forspris la franchise ore tarde graunte a les escolers

colers de universite dOxford all other good statutes made before this time, and not repealed, stand in their force.

autres bones estatutz avaunt ces hoeures faitz & nient repelez estoient en leur force.

CAP. II.

A confirmation of the statute of 8 RICH. 2. cap. 2. touching justices of assise and gaol-delivery, for so long as it shall please the King.

ITEM, it is ordained and established, That the statutes made in the eight year of King RICHARD the Second, wherein be contained these words which follow: Item, it is agreed and ordained, That no man of the law shall be from henceforth justice of assise or of the common deliverance of gaols in his own country. And that the chief justice of the common bench be assigned among other justices, to take such assises and to deliver gaols: but as to the chief justices of the King's bench it shall be done as hath been accustomed for the most part of an hundred years last past, shall be holden and kept, notwithstanding any statute or ordinance made to the contrary. And that no chief justice of the King's bench be in any wise hereafter made justice to take assises in any county within the realm of England, but only in the county of Lancaster. And that this statute hold place and be in force as long as shall please the King for salvation of his prerogative. Ex edit Rast. Justices of assise, or gaol delivery. 33 H. 8. c. 24.

CAP. III.

A confirmation of several statutes of 1 HEN. 4. cap. 7. 7 HEN. 4. cap. 12. & 1 RICH. 2. cap. 7. touching giving and taking of liveries..

ITEM, whereas in the statute made the first year of the reign of our sovereign lord the King that now is, it was ordained, That no archbishop, bishop, abbot nor prior, nor none other man of holy church nor temporal, of what estate or condition that he were, should give any livery of cloth to any person, but only to his menials and officers, and to those which be of his council, as well spiritual as temporal, learned in the one law and the other, upon pain to make fine and ransom at the King's will, and after the statute made the vii. year of the same our said sovereign lord the King, it was ordained and established, That as well the said statute, as the statute of livery of hats, made in the time of King RICHARD the Second, should be firmly holden and kept, and put in due execution: joined to the same, That if any knight, or any other person of less estate, do give any such livery of cloth or of hats, against the form of the said statutes, That he shall incur the pain of an hundred shillings, for every such livery of cloth or of hats, to be paid to the King as often as he doth the contrary to the same statute or ordinance. And that he that receiveth any such livery of cloth or of hats, shall likewise incur the pain of forty shillings, to be paid to our sovereign lord the King, as afore is said. And he that will sue shall have the one half of such pains for his labour and travail, and that such pains be in no wise pardoned. And moreover that no congregation nor company in any

Justices of as-
sise.

Repealed
3 Car. 1. c. 4.

wise make any such livery of cloth or of hats at their own cost, upon pain that every man of the same congregation or company, that doth in any wise the contrary of the said ordinances and statutes, shall pay to our sovereign lord the King xl.s. except only the guilds and fraternities, and also people of crafts within cities and boroughs in the realm of England, which be founded and ordained to a good intent and purpose. And the justices of assises shall have power to enquire from time to time in their sessions of the matters aforesaid, and the same to certify in the king's bench. Provided always that in time of war it shall be lawful to the lords, knights, and esquires, and all other gentlemen, which travail for our said sovereign lord the King in such war, to give their livery of clothing or of hats: such and in such guise as to them best shall seem for the time in such war, without being any wise molested, grieved, or inquieted in this behalf by force of the said ordinance or statute: Our sovereign lord King HENRY the Fourth that now is, considering the said ordinances and statutes very profitable for the ease and quietness of him and all his realm, by the advice and assent of the lords spiritual and temporal, and at the special request of the said commons will and granteth, That the said statutes be holden and kept, and put in due execution after the form and effect of the same.

CAP. IV.

A confirmation of the statute of 7 HEN. 4. cap. 10. and 11 HEN. 4. cap. 6. &c. touching the length and breadth of cloths of ray, and coloured cloths.

Cloths of ray
and coloured.

Aulneger.
9 H. 4. c. 6.
Repealed by
5 & 6 Ed. 6.
c. 6.
41 Eliz. c. 10.
4 Jac. 1. c. 2.

ITEM, whereas in divers statutes made before this time, as well in the time of King EDWARD, grandfather of our sovereign lord the King, that now is, as in the time of King RICHARD, late King of England, it was ordained and established, That cloths of ray, and coloured cloths should contain a certain length and breadth, as in the said statutes is more fully contained, and in the parliament of our sovereign lord the King that now is, the vii. year of his reign, it was ordained and established, That the coloured cloth should contain in length xxviii. yards, and the cloth of ray as many, measured without defoiling the cloths, and that the cloth of ray should hold in breadth vi. quarters, and the coloured cloth in breadth vi. quarters and a half, to the intent that the one cloth and the other watered and rowen, should be of the length of xxiv. yards, upon pain that the makers of such cloths should forfeit the same cloths, which by the aulneger should be found of less length or breadth. And that the aulneger should take them, and the same deliver at the wardrobe to the King's use. And also by another statute, made the xi. year of our said sovereign lord the King, for to avoid the great fraud and deceit of aulnegers through the realm, divers ordinances, establishments and punishments were made and ordained in this case, as in the said statutes more plainly doth appear: The same our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons hath ordained and established, That the said statutes, made in the said vii. and xi. years of his said reign, be firmly holden and kept, and put in due execution.

CAP.

CAP. V.

All customers, comptrollers, &c. shall be resident upon their offices.

ITEM ordeignez est & establi qe les estatutz faitz de les custumers contrerollours lieutenantz de chief botellere & de les sercheours lan primer & lan quart le Roi qore est soient tenuz & gardez. Et outre ceo ordeignez est & establi qe toutz maneres des custumers contrerollours gaugeours de vins & sercheours parmy le roialme soient continuelment seantz et demorantz sur leur offices & ent especial al temps de les charge & descharge de les niefes & vesselx entrantz les portz d'Engleterre & passantz hors dicelles issint qe nul tiel officer apres le temps dessus nomme soit absente de son dit office par trois semaines a plus sur peine de perdre son dit office sil ne soit comandez & chargies en especial de record destre en les courtes du Roi ou autrement en service nostre dit seigneur le Roi de record come dessus est dit.

ITEM it is ordained and established, That the statutes made of customers, comptrollers lieutenants of the chief butler, and of searchers, the first and fourth years of our said lord the King that now is, be kept and holden; (2) and moreover it is ordained and established, That all manner of customers, and comptrollers, gaugers of wine, and searchers through the realm, shall be continually resident and abiding upon their offices, and in special at the time of the charge and discharge of ships and vessels, entering in the ports of *England*, and passing out of the same, (3) so that no such officer, after the time above named, be absent from his said office by three weeks at the most, upon pain to lose his said office, unless he be commanded and charged in special of record to be in the King's courts, or otherwise in the King's service of record, as afore is said.

Customers, &c. shall be continually resident upon their offices.

1 H. 4. c. 13.
4 H. 4. c. 20.
1 El. c. 11 f. 8.

CAP. VI.

No Gally half-pence or foreign money shall be current within this realm.

ITEM, whereas in the statute made the eleventh year of our lord the King that now is, it was ordained and established, That Gally half-pence from henceforth should not run in payment, nor in other manner within the realm of *England*, upon pain of forfeiture of the same; (2) and moreover that the same Gally half-pence, in whose hands they might be found within the said realm, should be forfeit to our said lord the King; (3) and also that the statutes and ordinances made by our said lord the King, or his noble progenitors, as well of the money of *Scotland*, as of other realms and parts beyond the sea, should be holden and kept, and put in due execution: (4) our lord the King, considering the great deceit, as well of the Gally half-pence, as of the money of other realms beyond the sea, will that the same

No foreign money shall be current within this realm.

2 H. 4. c. 6.
11 H. 4. c. 5.

statutes

statutes be firmly holden and kept, and put in due execution in all points.

CAP. VII.

The justices of peace and the sheriffs shall arrest those which commit any riot, &c. inquire of them, and record their offences.

Bro. Riots, 5.
Raym. 386.
The justices of
peace and the
sheriffs shall
arrest those
who commit
any riots, &c.

ITEM, it is ordained and established, That if any riot assembly, or rout of people against the law, be made in parties of the realm, that the justices of peace, three, or two of them at the least, and the sheriff or under-sheriff of the county where such riot, assembly, or rout shall be made hereafter, shall come with the power of the county (if need be) to arrest them, and shall arrest them; (2) and the same justices and sheriff, or under-sheriff, shall have power to record that which they shall find so done in their presence against the law; (3) and that by the record of the same justices and sheriff, or under-sheriff, such trespassers and offenders shall be convict in the same manner and form as is contained in the statute of forcible entries, (4) And if it happen that such trespassers and offenders be departed before the coming of the said justices and sheriff, or under-sheriff, that the same justices, three, or two of them, shall diligently inquire within a month after such riot, assembly, or rout of people so made, and thereof shall hear and determine according to the law of the land.

3 R. 2. stat. 1.
c. 7.
15 R. 2. c. 2.
Inquiry of the
offenders.

Certificate of
a riot, and the
punishment
of offenders.

II. And if the truth cannot be found in the manner as is aforesaid, then within a month then next following, the justices, three, or two of them, and the sheriff or under-sheriff, shall

ITEM ordeignez est & establiz que si aucun riot assemblee ou rout des gentz encontre la loie se face en aucune partie de roialme que les justices de paix trois ou deux de eux a meyns & le viscont ou south viscont du counte ou tiel riote assemblee ou rout se ferra enapres veignent ove le poair de counte si besoigne ferra pur eux arester & eux aretent & aient mesmes les justices & viscont ou south viscont poair de recorder ceo qils troevent ensi fait en leur presence encontre la ley & que par le record de mesmes les justices & viscont ou south viscont soient tielx trespassours & meffaisours convictz en manere & fourme come il est contenuz en lestatut de forcibles entrees. Et sil adveigne que tielx trespassours & meffaisours soient departiz devant la venue des ditz justices & viscont ou south viscont que mesmes les justices trois ou deux de eux enquergerent diligement deinz un moys apres tiel riote assemblee ou route des gentz ensy faitz & ent oient & terminent solonc la loye de la terre.

Et si la veritee ne poet estre trove en maner come dessus est dit adonques deinz un moys lors prochein ensuiant certifieront les ditz justices trois ou deux de eux & le viscount ou south-viscount susditz devant le Roy & son conseil tout le fait & les circonstances dicell quell certificat soit dautiel force come

le presentement de xii sur
certificat soient les ditz
assours & meffassours mys
ponce & ceux q̄ seront
coupables soient puniz
de la discretion du Roy &
du dit conseil.

Et si tielx trespassours & mes-
sours traversent la matiere en-
certifie soient celles certifi-
cates travers mandez en banc
par y estre triez & ter-
mez come la ley demande &
mesmes les trespassours &
assours ne veignent my de-
vant le Roy & son conseil ou
en bank le Roy a primer man-
ant adonques soit fait autre
lement direct a viscount
countee de prendre les ditz
assours & meffassours fils
ont estre trovez & eux a-
er a certain jour devaunt
le Roy & son dit conseil ou
en bank le Roy. Et fils ne
ont estre trovez qe le vis-
count ou south-viscount face pro-
clamation en pleine countee
hein ensuiant la liverie du
mandement qils vien-
t devaunt le Roy & son
counail ou en bank le Roy
ou la chauncellerie en temps
vacacion deinz trois semai-
lors prochains ensuiantz
en cas qe mesmes les tres-
sours & meffassours ne vien-
t mye come devaunt est
la proclamation faite &
me soient ils convictz &
ditz de les riote assemble
oute dessuisditz non obstant
en estatut ou ordinance fait
contraire.

En outre qe les justices
paix demurrantz les pluis
heins en chefun countee
siel riote assemble ou route
gentz se ferra en apres en-
lement ove le viscount ou
south-viscount de mesme le
countee

shall certify before the King
and his council all the deed
and circumstances thereof, (2)
which certificate shall be of like
force as the presentment of
twelve; upon which certifi-
cate the said trespassers and of-
fenders shall be put to answer,
and they which shall be found
guilty, shall be punished ac-
cording to the discretion of the
King and his council.

III. And if such trespassers
and offenders do traverse the
matter so certified, the same
certificate and traverse shall be
sent into the King's bench,
there to be tried and deter-
mined as the law requireth.
(2) And if the same trespassers
do not appear before the King
and his council, or in the
King's bench, at the first pre-
cept, then shall be another pre-
cept directed to the sheriff of
the county, to take the said
trespassers and offenders, if
they may be found, and to
bring them at a certain day
before the King and his coun-
cil, or into the King's bench.

A traverse of
a riot triable
in the King's
bench.

(3) And if they cannot be
found, That the sheriff or un-
der-sheriff shall make procla-
mation in his full county next
ensuing the delivery of the se-
cond precept, that they shall
appear before the King and his
said council, or in the King's
bench, or in the chancery in
the time of vacation, within
three weeks then next follow-
ing. (4) And in case the same
offenders come not as afore is
said, and the proclamation
made and returned, they shall
be convict and attainted of the
riot, assembly, or rout afore-
said, notwithstanding any ar-
ticle or ordinance made to the
contrary.

Conviction of
offenders for
default of ap-
pearance.

IV. And

The penalty
of the next
justices omit-
ting their of-
fice.

Raft. 383.
17R.2.c.8.
2H.5.stat.1.
c.8.
11H.7.c.7.
19H.7.c.13.

IV. And moreover, That the justices of peace dwelling rightest in every county where such riot, assembly, or rout of people shall be made hereafter, together with the sheriff or under-sheriff of the same county, and also the justices of assises for the time that they shall be there in their session, in case that any such riot, assembly, or rout be made in their presence, shall do execution of this statute, every one upon pain of an hundred pounds, to be paid to the King as often as they shall be found in default of the execution of the same statute.

counte & auxi les justices daf-
sifes pur le temps qils seront
illoeqs en leur sessions en cas
qe aucun tiel riote assemble ou
route se ferra en leur presence
facent execution de cest estatut
chescun sur peine de Cli. 1
paiers au Roy a tant des foitz
qils seront trovez en defaut
del execution de mesme le
statut.

Thus end the statutes of King HENRY the Fourth.



END of the Second VOLUME.



